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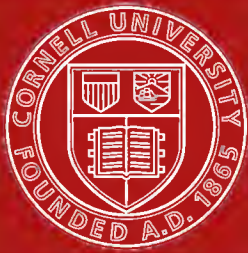
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Chas F. Reesfield

BIOGRAPHY OF THE BAR

— OF —

ORLEANS COUNTY, VERMONT.

BY

FREDERICK W. BALDWIN,

BARTON, VERMONT.

WITH STEEL ENGRAVED PORTRAITS.

MONTPELIER:

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1886.

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1886.

PREFACE.

“Biography is history teaching by example. It is the basis of all historical structures. The chronicles of the nations are composed of the sayings and doings of their men and women. These make up the sum of history.”

Since the year 1800 a county court has been held in Orleans county, and persons year after year have been admitted to practice as attorneys in this court, have been admitted to its bar. A record of such admissions in most instances has been kept by the county clerk; but this number is small compared with those admitted elsewhere who have resided and practiced law here. Of this large number there was no correct record, and in a very few years the scattered links of history could not have been gathered up sufficient to have written the chronicles of the bar of Orleans county. Even now, with the most careful and diligent research, a few are lacking. The aim of the author has been to give a more or less extended biography of every lawyer in regular standing ever in this county; also a few pioneers of the profession, who in the early days made the bar of North-eastern Vermont famous. If in this I have not been entirely successful, it may be I have succeeded in collecting and preserving *data* which at some future day may serve as a nucleus for a history worthy of this bar. All facts and figures have been gathered from the most reliable sources, and writers secured who were possessed of an intimate and extensive knowledge of the life and character of their subjects. The earnest endeavor of all has been to fairly and faithfully represent the legal fraternity. I have been assisted in preparing the material for this volume by many of the profession and others, who have contributed articles and rendered efficient aid in other ways. I have also received valuable information from various historical and biographical works. To all these I have intended to give proper acknowledgment under individual biographies, but I desire here to tender them my sincere thanks for their very acceptable help.

Thanks are especially due to those who have furnished me their portraits, and to Hon. Redfield Proctor of Proctor for portrait of Hon. Isaac F. Redfield, to T. C. Kimball of New York for portrait of John H. Kimball, Esq.

I am also indebted to John Mattocks of Chicago for article of Hon. John Mattocks, to Isaac F. Davis of Rockford, Ill., for articles of Hon. Charles Davis and Hon. Isaac Fletcher; to Edward P. Vilas of Madison, Wis., for article of his father, Hon. Levi B. Vilas; to W. W. Frost of Manchester, N. H., for article of Henry H. Frost, Esq.; to F. J. Prentiss of Greenport, L. I., for sketch of Henry F. Prentiss, Esq.

To extend a knowledge of the career of those whose fame rests upon their high legal character and attainments must exert a wholesome effect upon the rising generation of American lawyers, and increase that honorable ambition which forms the main incentive to great and noble actions.

In these pages the reader will perhaps find memoirs of some who have enjoyed every advantage that wealth and early education could bestow; he can also trace the history of many more who, by their own individual efforts, have risen from the obscurity of penniless and friendless boys to some of the highest and most responsible stations in the land.

If the humble, care-worn student, as he reads these brief sketches, shall feel his hope of success raised, his difficulties diminished, his energies stimulated to renewed and more vigorous exertion; if those who in years past have gone out from among us to make their homes in the great city or upon the wide prairie, as they peruse these memoirs, shall be carried back to old scenes, and are thereby assisted in recalling the many virtues of old friends, the pleasure experienced by the author in preparing this book will be distributed according to his desire.

FREDERICK W. BALDWIN.

HISTORICAL CHAPTER.

IN November, 1792, the Legislature of Vermont in session at Rutland passed an act entitled "An act for dividing the counties of Orange and Chittenden into six separate counties," and creating as one of such counties the county of Orleans, and its limits as set forth in said act were as follows: "That all the lands lying east of the county of Franklin, westward of the west line of the county of Essex, bounded north by Canada line, and south by the south lines of the towns of Morristown, Elmore and Greensborough, including those towns be, and the same is hereby erected into one entire county, to be called and known by the name of the county of Orleans." At this time, within said limits, the following towns had been granted: Barton, Brownington, Coventry, Craftsbury, Derby, Duncansborough (now Newport), Eden, Elmore, Glover, Greensborough, Hydepark, Holland, Irasburgh, Jay, Kellyvale (now Lowell), Lutterloh (now Albany), Missiskouie (now Troy), Morgan, Morristown, Navy (now Charleston), Salem, Westfield and Wolcott; but no settlements had been made only in the following named towns, which, according to the Vermont Register of 1804, had in 1791 the following population: Craftsbury, eighteen, Elmore, twelve, Greensborough, nineteen, Hydepark, forty-three, Morristown, ten, and Wolcott, thirty-two. In 1821 the town of Westmore was annexed to the county from Essex county, and the town of Elmore annexed to Washington county from Orleans; and in 1835 when the county of Lamoille was formed, the towns of Eden, Hydepark, Morristown and Wolcott, were made a part of that county. In 1880 the town of Salem was annexed to Derby, leaving eighteen towns in Orleans county.

In 1799 the legislature established courts in Orleans county, but provided that the supreme court should not meet in said county until directed by a future act of the legislature; that all causes proper to come before the supreme court should be tried and deter-

mined before that court at its session in Danville, in the county of Caledonia. Brownington and Craftsbury were made half shire towns for the time being, but the act provided that no permanent place be established for the county buildings until five years from the passage of said act. John Ellsworth of Greensborough, was appointed first chief judge, and Timothy Hinman and Elijah Strong, assistants. The time for holding county courts was fixed for the fourth Monday of November and March, annually; to be alternately holden in said towns; the first session to be in Craftsbury in the month of March, 1800. The judges, as above, met at the house of Dr. Samuel Huntington in Greensborough, November 20, 1799, and appointed Timothy Stanley of Greensborough, clerk, and Royal Corbin of Craftsbury, treasurer. The first session of the county court was held at Craftsbury, March 24, 1800. Timothy Hinman of Derby, was chief judge, Samuel C. Crafts of Craftsbury, and Jessie Olds of Westfield, assistants, Timothy Stanley was county clerk, Joseph Scott of Craftsbury, sheriff, Joseph C. Bradley of Greensborough, state's attorney, and Ebenezer Crafts of Craftsbury, judge of probate. On the second day of the session Moses Chase was admitted to the Bar of Orleans county. The docket for that term shows five causes, and the names of John Mattocks and Moses Chase appear as attorneys of record. At the November term, which was held at Brownington, the docket shows twenty-six causes, and the names of John Mattocks of Peacham, Moses Chase of Bradford, Asa King of Danville, Samuel B. Goodhue of St. Johnsbury, Joseph Bradley of Greensborough, and Jonathan Ware appear as attorneys of record. While the town of Craftsbury was one of the shires of the county, courts were held in a building which stood upon the same lot where Craftsbury Academy now stands. The oldest residents remember it as the "Old Court House." From the best information I can obtain it was built by the town or the citizens of the town of Craftsbury, and it was used for a time for the purposes of court house, town house and church; and about 1830 the town took it away and built a new town house upon the site, and subsequently when the town house was built at South Craftsbury, the town presented the old one to the academy corporation. I am informed that Col. Joseph Scott's *buttery* was used for a jail. At Brownington courts were held in the school house of District No. One (the only school district in town at

that time), a one-story, four-roofed building, just about large enough to hold comfortably the judges, jurors, and officers of the court. This building was situated about a mile north of where Brownington village stands, on the old road to Derby. Judge Strong's *cellar* was used as a jail when occasion demanded. In 1812 the legislature established the shire at Irasburgh, as soon as the inhabitants of that town, within four years, should build a court house and jail to the acceptance of the judges of the supreme court. In 1815 a court house and jail were built and accepted, so that the August term, 1816, of the county court was held at Irasburgh. The court house built at that time was used for that purpose until 1847, when it was moved off, and a new one constructed upon the site at an expense of about four thousand dollars; this was also built by the town of Irasburgh at no expense to the county. This court house was used by the county until the one now in use at Newport was erected. The jail built in 1815 was made of logs hewn square, and put one upon another for the walls, and ceiled with three-inch hard wood plank. This structure was used for a jail until 1838, when it was taken down, and a stone building eighteen feet square, and two stories high, was erected. This was found to be too small, and was not considered safe; hence, in 1861, the legislature authorized the county judges to raise three thousand dollars for the purpose of building a new jail. In 1862 a jail twenty-six by thirty-six, two stories high and built of the best of granite, was completed, and afterward used for a jail. In 1884 the legislature passed an act locating the shire of Orleans county in some town on the Connecticut and Passumpsic Rivers Railroad, said place to be selected by a committee of three, to be appointed by the governor. Such committee were appointed, and designated Newport as the best location for the shire, and a very commodious and substantial brick court house and other buildings having been constructed at a cost of about twenty-two thousand dollars, the February term, 1886, of the county court was held at that place. In 1801 the legislature changed the time of holding the county court to the first Monday of March and fourth Monday of August. In 1812 the August term was changed to the third Monday of August. In 1821 the time was changed to the last Monday of February and second Monday of September. Again in 1827 the time was changed to the second Tuesday of April and last Tuesday of August. In 1831 the time

was changed to the third Tuesday of June and the third Tuesday of December, and in 1833 the fall term was changed to the fourth Tuesday of December. In 1837 the spring term was changed to the fourth Tuesday of June. In 1868 the terms were fixed to be held on the last Tuesday of February and the first Tuesday in October, and in 1870 changed as they now are, the first Wednesday next after the first Tuesday of September, and the first Tuesday of February.

A supreme court was established by the legislature in 1816, to be holden annually on the second Tuesday next following the fourth Tuesday of June. In 1822 the time for holding this court was changed to the fourth Tuesday of January. In 1846 the time was again changed to the eighteenth Tuesday next after the fourth Tuesday of December, and in 1849 changed to the second Tuesday of August, and in 1857 changed to the first Thursday next after the third Tuesday in August. In 1882 the time was changed to the second Tuesday in May.

PIONEERS OF THE BAR

OF

ORLEANS COUNTY, VERMONT.

JOHN MATTOCKS.

By HON. ISAAC F. REDFIELD.

MY first recollection of Gov. Mattocks of Peacham, Vermont, dates from the year 1816, when at the age of twelve years I was a pupil at the academy in that town, and in the "town and gown" contests, in ball playing or other games, Gen. Mattocks, as he was then called, was the champion of the academy boys. I trust it will not be considered scandalous to name here, that the prize in one of these contests was a gallon of pure whiskey. That was before the days of modern scientific discovery that all stimulus in health is either useless or hurtful, or that the Bible is a myth.

I cannot say that my personal knowledge of Gov. Mattocks was of much account from that time until my admission to the bar in Orleans county in 1827. At that time he stood decidedly at the head of the bar in that section of the state, and had done so for nearly forty years. He was born at Hartford, Conn., March 4, 1777. His father, Samuel Mattocks, who was the Treasurer of Vermont from 1786 to 1801, was one of the early settlers of Tinmouth Rutland county. He read law, I think, at Middlebury, with his brother-in-law, Miller, who was a very distinguished member of the bar of that day, when it embraced as much talent, to say the least, as it has ever done since. He subsequently removed to Peacham, where he spent the remainder of his life, mainly in the practice of his profession.

Those who think of Peacham as it has been for the last thirty years, isolated from public travel, and equally from that great source of assumed modern enlightenment, the conversion by means

of rapid revolution and more rapid progress ; perched upon hills a thousand feet above tide water, more completely shutting it out from the sunshine of modern progress than a thousand miles of distance, have no adequate comprehension of what it was in the early years of the present century, when John Mattocks, the young giant in his profession, and the young leader in the politics of the state, (for that was still in the hands of the old Federalists, the most national, and the most upright and talented party the country has ever produced) ; the champion of every field and always *facile princeps inter pares*, might not unjustly be said to wield a wider and more controlling influence than any man of his years had ever done before or has ever done since in the state.

I know this will seem like exaggeration to those in the cities and large towns of the state, and who have not the slightest comprehension how any man, not in contact with the railway and the telegraph, can possibly acquire any influence upon anybody or anything. But such men have yet much to learn of the real elements of greatness, whether in individual character or in that of states and empires. When the state was controlled by such men as Isaac Tichenor, Nathaniel and Daniel Chipman, Chauncey Langdon, Charles H. Williams, David Edmonds, Samuel Swift and his brother Benjamin, Samuel Miller, Daniel Farrand, Daniel Buck, Elijah Paine, John Mattocks, Samuel Prentiss, and others of like character and caliber, Peacham was in fact the headquarters of the council chambers of the party for all the most essential practical ends, and Peacham Academy was then under the leadership of such head masters as Ezra Carter and David Chassell, whose equals could not now be found in any similar positions in all New England, and sent forth such pupils as Thaddeus Stevens, the great American commander, and Samuel Merrill, the early political leader in Indiana, and Wilbur Fisk, the almost inspired disciple and preacher of Methodism throughout America, and an army of others of like eminent character and gifts. At such a time we need not wonder that such men as Leonard Worcester, the eloquent preacher and wise and conscientious guide and counselor, and William Chamberlin, and John W. Chandler and John Mattocks, all residents of Peacham, wielding and surrounded by such influences, were able to make an important impression upon public sentiment throughout the state. And such was most unquestionably the fact during all the period of

the Federal ascendancy in the state until the year 1815, with occasional interruptions of more or less extent before that time.

But Gov. Mattocks' great life work was certainly not accomplished mainly in public political positions, although he undoubtedly secured a very large share of the public confidence throughout the whole period of a full and rounded term of earthly existence. He was always the representative of his town in the legislature, whenever he desired it. He was a member of the constitutional convention of 1835. During the last war with Great Britain he was brigadier-general of militia in that part of the state. He was in congress three terms—1821-1823, 1825-1827, 1841-1843. He was a member of the supreme court from 1833 to 1835, and governor of the state in 1843 and 1844, during which period the former vice-president of the United States, Richard M. Johnson, visited the state, and was received by the governor and general assembly in joint session, the governor making one of his always happy speeches of welcome, concluding, in his own inimitable manner, "How are you, Dick Johnson? I am glad to welcome you to this state, and to this chamber." The vice-president afterwards said, he was sorry he had not known his excellency's sobriquet, that he might have replied, "How are you, Jack Mattocks? God bless you!"

But I must hasten to conclude my brief exposition of the public and professional life of one of the most eminent and highly gifted men of my native state—the most gifted, as it always seemed to me, among them all, with the single exception of Senator Phelps, who unquestionably bears the palm in that respect above all others of the state to the present time.

But Gov. Mattocks' great field of excellence and glory was the bar. There is no shamming and no short-cuts to eminence there. Stern justice applies its measuring-rod with unflinching impartiality to all comers there, whether from the walls of the universities, or from the fields and the flocks, or the highways and by-ways of common life in any department. There is there no favoritism, and no stinted or grudging recognition of power and strength in that field. The humblest may there expect a patient hearing, and the most highly favored can demand no more. It was my fortune, when I came to the bar in Orleans county, to find all the important advocating in the hands of lawyers from other counties. And of this number Gov. Mattocks was far the most eminent,

although there were many others, such as Fletcher, Cushman, Paddock and Bell, that it would not be easy to match anywhere in the state, at any time since. We naturally felt some humiliation at such a state of things, but we could not break it up, since the clients would control the matter to a large extent, in spite of the advice of the local bar. But we could and did seek redress in another way. Some of the members of that bar attended the terms in the adjoining counties, and returned the favor they did us by arguing their causes. This was always kindly received by Gov. Mattocks. His position was too assured to feel any twinges of envy or jealousy. He said to his old companions of the bar that it had something of the sound of old Roman times, "*delendo est Carthago*," more in sport or badinage than in earnest, no doubt.

The most effective and eloquent address I ever heard from Gov. Mattocks, was the closing address to the jury on behalf of the information in the trial of Cleveland for murder in procuring an abortion. The accused was connected by affinity with some of the most influential families in the state, who naturally shrunk from being declared kindred with a murderer, which gave great interest to the trial in many important aspects. The court was composed of the chief justice and one other judge of the supreme court, with two lay assistants. The law was discussed at the bar from day to day during the trial, and was supposed to be definitely settled before Mr. Mattocks arose to make his closing argument. The popular sentiment seemed quietly to have settled down into the expectation of a verdict of manslaughter. But Mr. Mattocks had not spoken twenty minutes before we all felt that he was carrying everything before him, with the power of the enchanting wand. The spectators, the bar, and the court, and especially the jury, comprehended at a glance that Mattocks would accept nothing less than a verdict of murder in the first degree, and that this he must and would have, in spite of all obstruction from the public opinion or the charge of the court. His manner was cool, almost to solemnity, his diction plain even to the very verge of the common places of the vernacular in ordinary conversation. His person short and dumpy, and his eye almost obscured by fixed introversion, gave no special force to his look or his manner, which was indeed that of fixedness, rather than of expression. But his words possessed such a power as words never seemed to me to

have on any other occasion. He arranged the evidence in such a manner it had never before assumed, and the rule of law which he invoked from the court as the only security of the life of the body politic, and of each of its members, was so simple and natural as to seem irresistible, and such it proved, for the court at once acceded to it, withdrawing all its former announcements.

I have listened to Webster, and to most of the more distinguished American orators, both at the bar and in congress, and to the most distinguished orators of England at the present time, in parliament as well as at the bar, but for real maddened eloquence I have never heard anything which seemed to me quite up to this argument of Gov. Mattocks. It is scarcely needful to add that Cleveland was convicted of murder and sentenced to death, a most salutary example, but finally his punishment was commuted.

I have listened to a great many of Gov. Mattocks' arguments at the bar, both to court and jury, sometimes when not myself engaged in the cause ; sometimes when acting as opposing counsel, and sometimes while sitting as judge, and in all of them there seemed to me great power and ability. I had no reason to suppose myself a particular favorite of the governor at any time. Our position as opposing counsel in every case where we were both engaged naturally led to no very special intimacy, and in addition to this the effort of a young man to compete as far as possible with one so much his senior, naturally tended to create the feeling of assumption and pretension on my part, unless I was more fortunate than falls to the common lot in such cases. But in our last tournament at the bar, just before his elevation to the bench, where he remained till his own voluntary retirement, when my labors at the bar had been exchanged for others of a graver nature, he acted the part of a noble and generous competitor, saying to some of his friends who urged him to attend to the re-argument of the case, directed by the supreme court, that he could never have a better time to retire than when he had made a drawn game with the young lion of the North. It was said with no expectation to have it reach me. He was far too delicate for anything of that character.

But I felt that it was generous and sincere, and as Junius says, "that it would wear well, because it was extorted from him ;" and I repeat it here, more in justice to him than from any gratification

it can give me, when I scarcely expect consolation for the sorrows of advancing years from things of that character.

I am conscious that I have dwelt mainly upon the more serious elements in his character, which were always predominant in all his great efforts at the bar. But in times of relaxation, and when no deep sense of responsibility rested upon him, he was a man of great geniality and playfulness of character. His witticisms in the undertone of the bar are more remembered than those of almost any other in the state, and many of them are more worth repeating than most of those we meet in collections of the kind.

[The idea last expressed leads us to quote from a paper of Rev. S. Goodwillie in Vermont Historical Magazine.]

“His fund of anecdotes was inexhaustible, and both in public and private he illustrated the subject with pertinent anecdotes well told in a few words. His conversation was sprightly, and he enjoyed a hearty laugh. He was fond of joking, even with strangers. One evening at the place of his residence, he heard the agent of the Colonization Society represent its claims in a manner so forcible that he thought him a good beggar in a good cause. The next morning the agent called upon the governor, and in general conversation asked him, ‘What is the chief business in this place at present?’ ‘*Begging,*’ quickly replied the governor, ‘is *now* the chief business,’ at the same time slyly slipping some gold into the agent’s hand, for which he thanked him. ‘Not at all,’ said the governor; ‘*I thank you, sir.*’ ‘Why thank me?’ asked the agent. ‘Because,’ answered the governor, ‘*You let me off so easy.*’ In a tight pinch he was very adroit in devising ingenious and prompt expedients for effectual deliverance from difficulty. He wrote such a hasty and imperfect hand that sometimes he could not read it himself, but which his brother, a lawyer in the county, could decipher. Going to trial before the county court, on one occasion, he had such difficulty to read the writ, though written with his own hand, that the judge questioned the correctness of his reading, when he instantly gave it to his brother, saying, ‘You are college learned; read that writ.’ At one time when returning from the court at Guildhall, he lodged on Saturday night in the town of W., then a new settlement, where they had no public worship. The next day he went home through Barnet, intending to worship with the Presbyterians in that town (whose religious prin-

ciples and practices he esteemed so highly as to refer to them with approbation in a reported opinion he gave from the bench of the supreme court), and to hear their venerable minister, Rev. David Goodwillie, whom he held in high estimation, preach. The next morning the sheriff from Barnet arrested him at his residence in Peacham and took him to Barnet, to be tried upon a charge of violating the law of the state by traveling on the Sabbath in prosecution of his secular affairs.

Arraigned before a sage Scotch Presbyterian justice, he called for a jury, and by exercising his right to challenge, he got a number of Presbyterians on the jury, knowing they were strict observers of the Sabbath. Having produced his testimony, he freely admitted that he went home from court on the Sabbath, but in his defence he said, 'The court at Guildhall sat so late on Saturday I had not time to go home that evening. The next morning I found that there was no public worship in the town of W., where I lodged on Saturday night. It being my custom to attend church on Sabbath, I came to Barnet to worship with the Presbyterians, whom I know to be sound in the faith and right in practice, and to hear their intelligent and pious pastor preach. But I was disappointed, for when I came to their church door I found that their worthy minister was officiating out of town that day. I was then half way home, and instead of returning to the place whence I came that morning, I went home, knowing my residence was in a *better place* than the *wicked* town of W., where there is no church, no clergyman, no public worship, *no Sabbath and no religion.*' The court having heard his witnesses and *defence*, immediately withdrew the action and discharged him from arrest. He then generously entertained the court and company at his own expense."

GEN. SETH CUSHMAN.

By WM. HEYWOOD.

GEN. CUSHMAN'S family have all passed away, and it is so long since he died that I cannot get the particulars as to many of the incidents of his life. I was well acquainted with him for about fifteen years preceding his death. I have lately seen the headstone at Gen. Cushman's grave in the burying ground in the

southerly part of Guildhall, and it has upon it this inscription : "Gen. Seth Cushman, died 18th March, 1845, aged 63 years." It is known that he was born in Connecticut, but I do not know in what town. I have been told by him that he begun the practice of the law when quite young. I do not know with whom he studied law. He told me that he was a student for a time in the law school at Litchfield, Conn., which once had a great reputation, but does not now exist. Gen. Cushman must have resided at Guildhall about forty years, and for most of that time was in the practice of his profession. His father, Judge Isaac Cushman, resided on a large farm in the southerly part of Guildhall, and I think that Gen. Cushman went into practice at the village about the time that his father moved to the town, and most likely came there on account of the residence of his father in town. His mother was a sister of Elijah Paine, United States District Judge of Vermont. Gen. Cushman got his military title in the militia. He was, however, in the army a short time in the war of 1812, and had a commission in a regimental staff. I do not know what the office was. He had a good deal of ambition for military display. About the time of the election of Gen. Jackson to the presidency, Gen. Cushman had the expectation that he should have some government office, and he moved to Montpelier, where he lived about a year. But the patronage did not come, and he moved back to Guildhall. During the anti-masonic excitement in Vermont, there were seven trials to elect a representative in congress for the fifth district, and Gen. Cushman was a candidate for several of the first trials on the side opposed to anti-masonry, and he came near being elected ; but on the seventh trial Gen. Cahoon of Lyndon was elected.

Besides in his own county, Gen. Cushman attended the courts in Caledonia and Orleans counties in Vermont, and in Coos county in New Hampshire. He was usually engaged in all the important trials. He was a man of remarkable forensic talents. He was not a deep student of the law. He was too stirring and active in his habits to sit down and study books, but his knowledge was, as it were, intuitive and sufficient to manage a trial skillfully. I never knew a lawyer of more resources. His perceptions were quick. Almost without an effort he would understand a case, and I have known him to sit down to a jury trial without previous instruction, and gain a knowledge of it as the trial went along, and render as

good service as though he had before known all about it. He was an accomplished and eloquent advocate. It was remarkable that he could not write an article for a newspaper or anything else very well, but when he spoke, as in addressing a jury or a court, he was a master of language, and what he said would read well, and much better than what he could deliberately write.

He was very successful in criminal defences. I recollect that in a very important jury trial he and Judge John Mattocks were engaged in the defence, and Gen. Cushman made the opening argument. After he had closed, Judge Mattocks got up and said that Gen. Cushman had argued the case so well that he should do best not to weaken the effect of it by anything that he could say, and sat down. Gen. Cushman considered this a great compliment, as Judge Mattocks was an able lawyer.

Gen. Cushman was a man of handsome presence and of gentlemanly manners. He was kind to and always ready to aid the younger members of the profession, and used to encourage them to go forward and argue their cases. He was a man of deep sympathies. He would aid a poor man, with no expectation of pay, with as much zeal as though he was sure of a large fee. His only care, in money matters, was to get it to use, and what he could earn went without much heed for the future. He was genial to and with his friends, and was kind and indulgent in his family. Guildhall was and is yet a small village, and a very narrow field for an able lawyer with the talents of Gen. Cushman. He had the ability to have distinguished himself in a much greater field. But he had failings which were a clog upon his success.

A year before his death he had a paralytic shock. And though he soon got up so as to be about the village, it was sad to see the man, once so able, a wreck of what he once was. At last he died suddenly of a second paralytic attack.

He was a man in many ways to be admired. There are many who imitate his vices, and have not the excuse of his strong and excitable passions, and whose defects are not relieved by his talents or genial qualities. But I must heed the maxim that I shall wish to have charitably applied not long hence in my case : *De mortuis nil nisi bonum.*

JAMES BELL.

VERMONT HISTORICAL GAZETTEER.

JAMES BELL was born in Lyme, N. H., in December, 1776. John Austin, of pure Norman extraction, a native of Glasgow, Scotland, invented the tulip-shaped bell, for which he was knighted by Queen Elizabeth, and took the name of Bell. He was a staunch Presbyterian, and during the religious controversy was obliged to flee, and went to the North of Ireland. From thence a large family of brothers emigrated to the United States, and settled in various parts of the Union. James, the second son, settled in New Hampshire, from whom the subject of the following sketch descended.

Not far from 1800 he went to reside in Hardwick, Vt., and was married to Lucy Dean of Hardwick, Mass., in 1801. Soon after this he became entangled with a lawyer, for whom he had done business as a deputy sheriff. A legal quarrel arose which lasted for years; litigation stripped him of his property and threatened to ruin him. The struggles of that season of his life required more courage than to fight with physical giants. The inevitable privations of the early settlers; the scarcity of provisions when the clearings were small and shaded by the thick forests which encircled them, so that the grain which had struggled through the summer was likely to be nipped by untimely frosts; the fearful drain upon pecuniary means and the excitement attendant upon litigation; the wants of a young family of children, whom he tenderly loved; the pain to think that he had made the sharer of his trials a woman who had seen better days—a woman of the strictest principles ambitious, and who must have been almost more than human to be always patient under the allotment of fortune, was enough to tempt a less buoyant spirit to do as another was advised to do when sorely tried. Still he never yielded, but rather pressed onward. The “divinity that shapes our ends” used this rough hewing as a means of showing to himself and others the talents that were in him. He became too poor to employ counsel, and was obliged to defend himself and plead his own causes, and soon displayed wit and a native eloquence which in those primitive times were more than a match for his mere legal antagonist. He eventually drove him from the field, and was ever afterward engaged in legal busi-

ness, though not admitted to the bar for a number of years after.

He settled in Walden in 1804 or 1805. In 1810 he commenced the farm where he ever after lived. The place was entirely wild, and the first tree fallen was the foundation log on which his cabin was erected. In 1815 he was elected to the State Legislature, after having had conferred on him the office of justice of the peace, captain of militia, etc., which honors in those days were not without significance. He was again elected to the legislature in 1818, and was a member of that body for ten years in succession. He was an eloquent debater, and few men had more influence in the house. Few were there whose political sway was felt more throughout the state than Mr. Bell. At the time that Mr. Bell was admitted to the bar of Caledonia county, it was composed of a constellation of many of the first order of talents, among whom he was received as a peer, and in mother wit surpassed, perhaps, any one of them. Intellectual sport he enjoyed from the foundations of his being, and his irrepressible laughter was genial and sparkling as the bursting forth of sunshine. He, moreover, had an immense persuasive influence with a jury; his sympathies being strong, he intuitively hit upon those points which would sway them in the direction he wished. The *man* was the *man* in his esteem, whatever the texture of his coat might be; his client's wrongs were his own wrongs, and he defended him with a zeal and enthusiasm that never flagged till his point was gained. He was a hard man to face, for perhaps when his legal antagonist had finished a labored plea and thought his mountain stood strong, a few playful sallies from Bell, or a stroke or two of the scalpel of satire directed to the weak points of his argument, and he would find the whole structure tumbling about his ears.

A case of this kind occurred once, when he was attending court in a neighboring state, where he was a stranger. The counsel on the other side was a man of pretension, wealthy, influential, and much of an egotist. He made a great effort for his client, represented the wrongs he had suffered as without a parallel, labored to excite the sympathy by the presentation of arguments drawn from no very apparent facts, and worked himself up to a very high point of commiseration for his much-abused client, and sat down. Mr. Bell arose with a very solemn face, but a queer twinkle of the eye, and said he thought they would all feel it a privilege to join in sing-

ing "Hark, from the tombs a doleful sound." He struck the old minor tune in which the words were then sung, and sung the verse through. The speech of his opponent, in the minds of those present, was upon the poise between the pathetic and ridiculous—the ridicule flashed upon them, and the house was in a roar. When the merriment subsided he went on with his plea. The advocate who preceded him had indulged in invidious remarks, not only in reference to Mr. Bell, but to the Vermont bar generally, and Mr. Bell mentioned that he had been both surprised and pained at the ungentlemanly and narrow allusions which had been made by one who had the honor of belonging to one of the most liberal professions in the world; and the man afterwards ingenuously said that he never was so used up.

In 1832 Mr. Bell made a public profession of religion, and joined the Congregational church in Hardwick, and was ever after a conscientious and constant attendant at the sanctuary when his health permitted. He was a lover of freedom, and a hater of oppression. Well do we remember his relating the following anecdote:

He was standing in front of the capitol at Washington, when a gang of slaves manacled together and driven by their keeper, passed by. When they came opposite the capitol they struck up "Hail, Columbia," and the refrain was kept up until their voices were lost in the distance.

He said: "What a satire upon our brays of freedom was that music from those unconscious wretches! Oh, how I longed to stand upon the floor of that house and say what I wanted to say." He was an earnest temperance advocate. During the political and other conflicts of his manhood he was a firm, warm friend, and a most whole-souled despiser of those he disliked; but, as age advanced, and the tumults of life receded, the affections became predominant, and embraced all. His sportiveness almost went with him to the grave.

After he was so infirm that his step was almost as uncertain as an infant's, he said to some one, alluding to his infirmities, that there was one thing he could do as quick as ever. "And what is that?" said the person addressed. "I can fall down as quick as ever I could!" was the answer.

He was chosen a member of the council of censors in 1848, which was the last public service in which he engaged. There is

but one sketch of any of his public efforts remaining. That was reported by S. B. Colby, Esq., of Montpelier, and which we take the liberty to insert in this article.

“Orleans County, December Term, A. D. 1847. Brother Bell has made one of his great speeches to-day in defence of Mrs. Hannah Parker, on trial for the murder of her own child. I have never heard or felt a deeper pathos than the tones of his voice bore to the heart, as he stood up in the dignity of old age, his tall, majestic form over-leaning all the modern members of the bar (as if he had come from some superior physical generation of men) tremulous, slightly, with emotions that seemed thronging up from the long past, as the old advocate yielded for a moment to the effect of early associations, and introduced himself and his fallen brethren, whom his eye missed from their wonted seats, as it glanced along the vacant places inside the bar. He said :

May it please Your Honor and Gentlemen of the Jury :

I stood among giants, though not of them ; my comrades of the bar have fallen. Fletcher ! the untiring and laborious counselor, the persuasive advocate, the unyielding combatant, is where ? Eternity echoes, here ! Cushman, the courtly and eloquent lawyer, the kind and feeling man, the polished and social companion and friend, where now is he ? The world unseen alone can say.

Mattocks lives, thank God ; but is withdrawn from professional toil, from the clash of mind on mind, the combat of intellect and wit, the flashing humor and grave debates of the court room, to the graceful retreat of domestic life. I am alone, an old tree, stripped of its foliage, and tottering beneath the rude storms of seventy winters ; but lately prostrate at the verge of the grave, I thought my race was run ; never again did I expect to be heard in defence of the unfortunate accused. But heaven has spared me, another monument of his mercy, and I rejoice in the opportunity of uttering, perhaps, my last public breath in defence of the poor, weak, imbecile prisoner at the bar.

Gentlemen, she is a mother. She is charged with the murder of her own child. She is arraigned here a friendless stranger. She is without means to reward counsel, and has not the intelligence, as I have the sorry occasion to know, to dictate to her counsel a single fact relating to her case. I have come to her defence

without hope of reward; for she has nothing to give but thick, dark poverty, and of that, too, I have had more than enough. But it gives me pleasure to say that the stringent hardships of her case have won her friends among strangers, and the warm sympathies which have been extended to my client, and the ready and useful aid I have received during this protracted trial from various members of the bar, strongly indicate the great hearts and good minds of my departed brothers, have left their influence upon these, their successors."

Soon after Mr. Bell's return from court he received the following from Mattocks:

PEACHAM, January 16th, 1847.

BROTHER BELL:—In the Watchman I have just seen a specimen of your speech in the murder case. It is worthy of being inserted in the next edition of "Elegant Extracts in Prose." Sir, you are the last of the Mobicans and the greatest, and when you die (which I fear will be soon, for from the account I hear of your effort in the cause of humanity it was all but a superhuman brightening before death), the tribe will be extinct. You have justly called our two lamented friends giants, and with the discrimination of a reviewer, have given to each the distinguishing traits of excellence; and although your introducing me with them was gratuitous, it was kind, and the traits you have given me I owe to your generosity. You say "I was not of them;" this was a fiction, used in an unwayerlike manner to prevent self-commendation, unless, indeed, you meant as Paul might have said, that *he* was not of the prophets, because he was a head and shoulders above them. I am proud that you have sustained and surpassed the old school of lawyers. Sir, you are the *Nestor* of the bar, and may be truly called the "Old man eloquent."

I am, sir, with the greatest respect,

Your friend and humble servant,

JOHN MATTOCKS.

N. B. I reserve the all-important part of this letter to stand by itself. Let us hold fast to our hope in Christ. We near the brink.

Bell survived his friend a few years, encompassed with infirmity, and died of paralysis April 17th, 1852.

ISAAC FLETCHER.

By HON. ISAAC F. REDFIELD.

I N attempting to combine, in a connected narrative, some of the leading incidents in the life of Gen. Fletcher, I have, I trust, been influenced more by a desire to do justice to an eminent instance of self-made excellence, in literary and professional pur-

suits, and thereby to countenance and encourage the friendless and fortuneless adventurer in that field, than by any wish to gratify feelings of friendship, kindly remembrance, or grateful affection, either in myself or others; although, I confess, this last consideration has not been without its weight with me. Nor do I feel that my position, in this attempt, requires of me to subscribe implicitly to the necessity of the maxim—*nil de mortuis nisi bonum*. It will be my endeavor, so far as I shall speak of his course of life, his principles and his character, to speak, as nearly as I shall know, the plain, simple truth.

Gen. Fletcher was born, of respectable parents, in Dunstable, Mass., on the twenty-second day of November, 1784. His father was of the substantial class of farmers of that day, which, it will be remembered, equalled, if not excelled, almost all others in the essentials of prosperity and comfort, including competency of worldly possessions, health of body, sobriety and independence. The father continued to a green old age, and had but just put off the harness, so to speak, when his son was called to join him in the silent congregation. His mother, whose maiden name was Cummings, was always delicate and feeble, and survived the birth of her son but some twelve or fourteen years. She seems to have been a woman of gentleness and refinement of feeling, as well as of delicacy of physical constitution, and these qualities of the mother seem to have been early developed and matured in the son.

In a brief sketch of the incidents of his early life, drawn out by Gen. Fletcher, not many years before his death, for the sole use of his son, who was his only child, and which was not by him, in any sense, expected ever to meet the public eye, although written at a time when the state of his health doubtless admonished him that the term of his active life could not be very much protracted, he says: "From my earliest recollection, my constitution and health have been feeble, and have continued so to the present time, but yet able to endure much application, labor and fatigue." It seems by this narrative, which his son has kindly put into my hands, that just before his mother's death it was arranged that he should receive a collegiate education. "But after her decease," says Gen. Fletcher, "my father thought himself unable to defray the expense of my education; and it was given up." He now devoted himself to those avocations which are common when one proposes to become a

farmer, which is indeed the pursuit of all others in our country, perhaps, best calculated to bring comfort and contentment, but which is not as likely to induce a deep insight into those more difficult studies which enlarge and fortify the intellectual powers. The rigid economy of those days, as contrasted favorably with our own times, in some respects, is no doubt fairly illustrated by the following incident, found in the narrative alluded to: "One rule of my father's economy was, that all the money spent by his children must be earned by themselves. By the greatest industry, in raising potatoes and tobacco, I possessed myself of money enough to buy Pike's large arithmetic, and commenced the study of it, without master or assistant, during the leisure evenings I could spare. By dint of perseverance, I mastered every rule and could solve any problem in the whole book. This laid a foundation for mathematical studies, which has been of use to me through life. I have ever devoted myself (when opportunity would allow), with more pleasure to the study of that science than of any other."

I cannot learn that Gen. Fletcher was, at any period of his life, fond of those athletic sports which formed so large a portion of the amusement of the young in that day. The deficiency of physical strength requisite to excel in them, and the absence of that excessive flow of animal spirits, which is so constantly outbreaking in the robust and hardy youth, whose health is properly cared for, might well account for this. He was not, however, reared in effeminate indulgence. His father was not a man to encourage exemption from toil and discipline, which—however it may seem to the youthful experimenter—is the more indispensable in proportion to the original feebleness of constitutional health. Not that a constitution of extreme delicacy can be, with safety, subjected to the same process of training, which might suit one of more primitive hardihood, but the former must have exposure and labor and infliction, as it can endure them, in order to produce that degree of energy which is indispensable to comfort and usefulness, while the more healthful and robust will endure long without these aids. Hence it is no doubt true that the selecting of the frailest, sickliest son, for the pursuits of learning in the liberal arts and professions, because he is less fitted by nature for more laborious avocations, is almost always unfortunate. If the opposite course were pursued both classes would be made more useful, and far more sure of success

and comfort on the last quarter of life's full term. It was no doubt, in some degree, owing to the fact that Gen. Fletcher was kept at home on his father's farm till his nineteenth year, and taught the value of time and money, and not to shrink from labor and toil and suffering even, if need be, that he was enabled to accomplish so much in after life with so little sound health.

He says: "In 1803 my father came to a resolution to suffer me to acquire a liberal education. He informed me that all he could do for me was to give me my time, and if I thought, by industry and economy, I could succeed in the attempt, I might make the experiment, but should I fail, there would always be a seat at his table and food enough, and work enough for me to do on his farm. Thus encouraged and supported by my father, I collected all my movable effects, consisting of clothes and a few books, and left home, with a fixed and determined resolution to tax my genius and industry to the utmost to acquire an education. With budget in hand I took my departure for Groton to prepare for college. At this time I was possessed of a yoke of oxen," (which, as he had before related, his father suffered him to buy, when young, in a mode similar to that by which he obtained his arithmetic), "a few sheep and other property, in all, to the amount of about one hundred and fifty dollars, which I converted into cash and funded, to draw upon as necessity might require. I did not feel myself able to take board near the academy, but at the distance of a mile and a half, where I could get it cheaper than in the village. I commenced fitting for college in September, 1803, and entered the Freshman class in Dartmouth College in 1804. I may as well say, once for all, my feelings suffered much, for my means were scanty and my dress and style humble."

I have introduced this long extract from his narrative to his son, because I am well advised that he considered that portion of his life as having had an important bearing and a controlling influence upon much of his after life, and in no slight degree connected with what of success attended his after efforts, and because I cannot but esteem such a testimony, from such a source, of the very highest importance to all who feel themselves interested in the subject of the education of children, physical and moral, as well as intellectual. In this day of comparative profusion and love of ostentation among all classes, and of inefficiency and want of energy and self-

reliance, if not sometimes of vicious delicacy and effeminacy, among too many of our youth, when even the aspirants for professional or literary honors dare not venture—upon their own resources, with the common blessings of a gracious Providence—the undertaking, in this land of plenty and cheapness, to compass a collegiate and professional education, I have hoped that such testimony, from such a source, will not be esteemed obtrusive or unimportant. And, both because it is better said and more likely to be regarded, I have introduced it in the very words of the witness himself.

There is to be noted in the above extract the countenance and support which a judicious father may give to a son, eager for an education, aside from, and far more valuable, I apprehend, than the giving of money.

1. By cultivating in the son, in some sense, the feeling that he is his own master, and this at an early age, that there may be nothing ever of the feeling of servitude in what he does for the father.

2. By suffering the son to acquire a little property of his own by extraordinary exertion and more than usually rigid economy, which will show him the value of small earnings, and how it is possible, by little and little, to accomplish in time what at first seemed wholly desperate.

3. By sustaining the son's hope and heart, by permitting him always to feel that his father's house is a resort to fly for shelter in case of disaster and discomfiture in his undertaking, and that even in that event he need not feel himself disgraced, or as having thereby forfeited the good will of the family mansion, or of its proprietor and inmates.

There is also farther to be noted here, how very little aid is, in our country, indispensable to the attainment of a collegiate education; for Gen. Fletcher passed his regular course at Dartmouth College without any aid, as far as is known, except what is above named. He maintained a high standing for scholarship, as his appointment at commencement, and his election to the Phi Beta Kappa Society, Junior year, will attest.

I know it has now become fashionable at old Dartmouth to decry all distinctive appointments in college as something addressing itself too much to the more debasing motives of human action; and it is said the venerable society of the Phi Beta Kappa has fallen

into melancholy disrepute there, and has sometimes been almost compelled "to hide its diminished head, and peep about to find itself a dishonorable grave." But this is no time to write a dissertation upon college honors and preferments; and least of all should one, whose life has been devoted to other pursuits, presume to arraign the venerable teachers and patrons of his *Alma Mater*—a nursing mother, of whom it pleases me to be able to say, with the utmost truth and sincerity, "I love thee still." But I may be allowed kindly to suggest that in the general rush among all classes and associations, to try some new medicine for an old disease—inordinate love of pre-eminence, with mediocrity of capacity—it was to have been hoped that our institutions of learning should be permitted to wait patiently, to learn whether "the sober second thought of the people"—no unmeaning catchword, though greatly reviled of late—would seriously and pertinaciously require any such remedy from that quarter. So venerable an institution of learning, instead of running after the popular breath—the mere effervescence of that staid, sober, and well informed public opinion, which we all feel bound to regard as the true exponent of the *vox populi vox Dei*—should, it would seem, have felt in some degree the responsibility of making the substance of public opinion, instead of running after its shadow. And perhaps when we all learn to feel the full weight of this just and reasonable responsibility, there will be more true devotion to the interests of the whole, and, of course, less necessity for high sounding pretension in that respect—more practice and less profession of democracy.

Gen. Fletcher, during his college life, in common with most of the members of college of that day, taught school during the winter months. It is probable that this exercise, if entered upon with a proper sense of its real dignity and importance, instead of being made, as it too often is, a painful shift to gain a subsistence, would always be found more profitable to the teacher, on the score of mental improvement alone, than the same time devoted to the study of books. It was so with him. The difference between these two classes of teachers, in the improvement of their pupils, is almost incalculable. The education of men, full grown men, good soldiers in the warfare of life, is no mere child's play. It is work for valiant men. "There is no royal road to geometry"—the advance along the way towards any high attainment in liberal

studies is always arduous, often painfully difficult and disheartening, even to the most devoted lovers of good learning. Gen. Fletcher was always a faithful instructor. I apprehend there would be no danger of doing injustice to others in asserting that almost no office in the state afforded so faithful and thorough a course of law education and of systematic instruction as did his, during the whole course of his professional life.

After leaving college Gen. Fletcher taught in the academy in Chesterfield, N. H., with high credit, as a faithful and competent teacher, for two years. It was during this time that he made the acquaintance of Miss Abigail Stone, whom he subsequently married, and who survived her husband, but in great feebleness and premature decrepitude, caused soon after the birth of her only child by a severe sickness, consequent upon too early exposure, without proper precaution. The calamity was severely felt by both. I learn from those who were intimate with Mrs. Fletcher, before the event, and who all concur in representing her as an active, elegant and accomplished woman, both in person and mind, that she then suffered a most painful change. I have alluded to this sad result, thus in detail, in order to do justice to a trait in Gen. Fletcher's domestic character, which I esteem above all praise. I mean his truthfulness, constancy and devotion to the wife of his choice, through all times and all changes—never in the least abating the watchfulness and tenderness of his first love, through long years of weariness and suffering, on her part, and almost necessary departures sometimes from that evenness and equanimity which vigorous health and buoyant spirits, with the consciousness of being useful, and necessary to the comfort of her husband—would not have failed to preserve. I know that the self-confident and boastful in regard to human virtue, who know little of themselves and less of others, will be ready to say "he could hardly have done less." But when we reflect how very few wives, among the most fortunate, after the freshness of youthful beauty has grown dim, and the disregard consequent upon familiarity, with even our best friends, has come over them, receive all that attention always from their companions which their affection covets, I feel constrained to say that in my judgment such instances as that to which I have alluded are rare indeed, and to be esteemed in proportion as they are few. Those men who think lightly of such virtues on the one

hand, and those on the other who think that no degree of virtue is of any esteem, unless it has assumed a prescribed degree of pretension, and who will consequently think and speak of Gen. Fletcher as a moral man, perhaps, but not religious, would find, very likely, this practical lesson in his life not unworthy of their study—which might enable them to see whether virtue is not something more substantial than mere pride, and whether, at the last, “He who seeth not as man seeth,” will not esteem a life of virtue of more avail towards the attainment of everlasting salvation even, than an empty faith without its legitimate fruits—a holy and virtuous life. I shall not be understood in what I here say, I trust, as to any extent willing to countenance a disregard of the ordinances of our holy religion. Few men, perhaps, respect them more sincerely; but they are rather the body than the soul of religion—the means rather than the fruits of piety.

As to Gen. Fletcher’s religious views and feelings. For upon this point, if I said anything, I would be sorry to misrepresent him, or to be misunderstood myself. The first paragraph in a letter under date of December, 1838, having been written in the confidence of long standing and intimate friendship, growing out of a remote family connection and similarity of pursuits, will exhibit his views upon that subject more fully and far more satisfactorily than I could do, and may in some degree explain why I should have spoken thus confidently of his Christian character, when he himself is not known to have expressed any full reliance upon his own hopes. And I have been the more assured upon this point of his character, perhaps, from the consideration that in religious professions the more bold and confident, not seldom, give comparatively little evidence of having well considered the ground of their faith and hope, while on the other hand, many times, the more doubting, and anxious, and self-condemning, and shrinking from the public gaze, show more of the peaceable fruits of righteousness in humility, self-abasement, and holy living. The late Dr. William Ellery Channing, the worthy descendant of a worthy ancestor, whose name he bore, very justly said that all deep, impassioned feeling upon religious subjects is shy and shrinking, and difficult of utterance. The paragraph above referred to is as follows :

WASHINGTON, D. C., December 9th, 1838.

I thank you for your kind letter of the 3d instant. It is gratifying, and doubly so when at a distance, to be remembered by our friends. The mention of the old court room at Danville brought to my recollection many reminiscences. It is there I have toiled hard day after day; it is there I have passed the best of my life; it is there that the malady, which has afflicted me for more than two years, first came upon me; in short, it is in that very room, and in preparing to appear in it, that I have worn away my health, and broken down my constitution. It is there I have passed days of great toil and mental anxiety. Thanks to Providence, I feel my health gradually returning. Ever since I came south I find my health amending, and I pray God that it may be ultimately restored. The religious cast of your letter, while it was somewhat unexpected to me, was by no means displeasing. Believe me, my dear friend, I have ever esteemed my friends the higher, in proportion as I have thought them sincerely religious. I have never considered myself deserving of the name of Christian, but it is a subject that engages my daily meditations. How beautiful the rhapsody of St. Paul: "I have fought a good fight, I have finished my course, I have kept the faith, henceforth there is laid up for me a crown of righteousness, which the Lord, the righteous judge, shall give me at that day; and not to me only, but unto all them, also, that love his appearing." How different from that of Balaam: "Let me die the death of the righteous, and let my last end be like his." One full of holy confidence, the other full of worldly hope. May you and I love the appearing of the righteous judge, which is the earnest of the heavenly crown.

Gen. Fletcher studied the profession of the law with Messrs. Prescott and Dunbar, at Keene, N. H., and was admitted to the bar of the county court in Newfane, Vt., at the December term, 1811. In 1812 he opened an office in Lyndon, where he continued to devote himself to the business and study of his profession till near the close of his life. He was married sometime during the year 1813.

The life of a professional man is almost always barren of incident. It consists of a dead uniformity of labor and study, and study and labor, in nearly constant alternations, at least to those who choose to submit to such alternatives. Professional learning is always, and with all men, difficult of attainment, and only the fruit of long and patient study. Industry, determined resolution and capacity, will always ensure success, and all these Gen. Fletcher possessed, but not in equal degrees. His industry and perseverance, as well as his promptness and faithfulness, in all which pertained to professional responsibility, were almost without a parallel. His capacity was certainly of a very high order, although not perhaps of the very highest. It was just about that fortunate degree of

excellence, which feels its capability of mastering all problems, which the variety of professional avocations present by dint of labor and study, and not that glowing blaze of inspiration, so to speak, which despises the trammels and restraints of rules, and detests the slow and snail-like pace by which patient industry must ascend, if at all, to those higher points in professional attainments, to which mere genius can never reach.

When he entered the practice he was considered, I apprehend, more learned and critical than, with the same attainments, he would now be esteemed. This difference in the taste of the profession, together with his great industry and indomitable perseverance, gave him then, no doubt, at times the appearance of hypercriticism. But this, in a young attorney, is justly esteemed "a failing which leans to virtue's side," and is one of the most hopeful of excesses, as Gen. Fletcher's after success sufficiently shows. He very soon commanded an extensive practice in the three northeastern counties, which he maintained without abatement and with increasing popularity till about the time of his election to congress, when he wholly abandoned all professional undertakings. This long continued and constantly advancing popularity, in the advocacy of the profession, is not without its parallel indeed, in eminent instances, in our own state, and in the same region, but it certainly is very uncommon in proportion to the whole number of acceptable, and even popular advocates, who, in almost any section of the state are, at some one period during the term of twenty-five years, to be found in successful practice for a time, perhaps, and then give place to other popular favorites; and this result in his professional course is, in itself, no doubtful evidence of his excellence as an advocate. His practice, too, was of a kind which brought him constant acquisitions, and his charges were generally low—always reasonable—which enabled him to derive more profit, in the long run, from the same client, than if his demands had been more exorbitant. He was often called to advocate causes in more remote sections of the state, (if not in other states, of which I cannot speak), and was always a happy and persuasive speaker. His sudden and extemporaneous efforts, although often-times showy and attractive, were not his happiest or most successful efforts. He required time to collect his materials, and then to arrange and digest and condense them; and in such cases he was always a graceful and interesting, and

more than ordinarily successful advocate. His great love of method, and minute subdivision of his topics, not unfrequently exposed him to severe criticism as being over-technical, and sometimes frivolous in his exceptions to the propositions of his adversary, as well as in the outworks with which he essayed to defend his own citadel; but the far more than ordinary, I may say, eminent success which attended his almost continued efforts at the bar, addressed both to court and jury, show very clearly that he was more easily criticised than overthrown. All will allow that he has left behind him a very enviable professional reputation, and one which those of us who come after him will do well to emulate in more than one particular. It is true, doubtless, that from the relations which subsisted between us for nearly half the term of his professional life, I should be liable to over-estimate his powers of advocacy. But I have guarded against that as I best could, and I flatter myself that those who knew him as well as I did, will not find much to blame in what I have written. His reputation stands, and must stand, mainly upon his professional attainments.

His surprising industry in the preparation of his cases is well shown by the number and extent of the briefs which he made while in practice. Almost all the important cases, for the prosecution or defence of which he stood primarily or principally responsible, both in the county and supreme courts, were formally prepared by stitching together the requisite number of sheets of letter paper and writing at the head of each page, or at other convenient distances, the prominent points in the case, in orderly succession, then the subdivisions of the several leading points, if any, and the authorities relied upon in their support, and, if a jury trial, the names of the witnesses to be called, and the substance of the testimony expected from them. If the trial was had before the jury, he used his brief in opening the case. He then took very full minutes of the testimony given, and, in summing up, referred both to his brief and minutes. His briefs were many times prepared with such accuracy and minuteness as to have enabled an English barrister to conduct the trial without embarrassment. If this preparation of cases before trial was more attended to in our courts, it would greatly facilitate the labors both of the court and counsel, and in no small degree conduce to the just ends of the administration of justice—the impartial understanding and thorough trial,

and speedy determination of causes. Protracted litigation, which all concur in condemning as a bitter evil, and which has been attributed sometimes to the interested policy of counsel, and sometimes, no doubt with some show of justice, to the inefficiency of courts, is perhaps as much induced by the want of preparation of cases on the part of counsel, and the impatience of courts, (pardonable it might seem, if ever, under such painful perplexities), as by either of the former causes. Gen. Fletcher seldom found a case taking a direction on trial which he had not anticipated and provided against, as he best could.

He continued his classical reading through life to such extent as the other calls upon his time would permit. He read his favorite Latin authors with ease and satisfaction, and became, late in life, a considerable proficient in the study of the French language. His own testimony shows that he retained a still livelier relish for his mathematical, than for his classical studies, even.

He was often called to address his fellow citizens on anniversary festivals and other occasions, and sometimes, also, the literary societies in our colleges. Some of these addresses have been published. One of these, delivered many years since on commencement at the University of Vermont, (of whose board of trust he was at the time a member), was very favorably received. He did not abandon those studies as unimportant to the main object of his ambition—professional eminence; nor did the comparative disuse of the offices of Apollo and the Muses render him so coy and bashful and blushing, in the presence of those more at home there, as to induce him to forego all efforts in that way.

I come now to speak of Gen. Fletcher's political character. And here, I confess, I feel some little difficulty in determining precisely what rank to assign him. I do not think politics a field in which he ever took delight, or where he was fitted to shine. His kindness of temper, his unwillingness to wound or offend the feelings of others, his peculiar sensitiveness under any imputation or suspicion of wrong inflicted or intended by him, his total want of all that bravado and bluster, which are so necessary, sometimes, to keep up appearances on the arena of politics, made him averse to the scenes which are there exhibited. I do not find that he ever made the science of government, at any period in his life, a leading study. I apprehend that he never possessed that adroitness and

tact in anticipating and foiling the false positions of an antagonist, which would have rendered him a dexterous and successful political leader. He was, I think, more fitted to work out a given problem than to propose a theory—more suited to the sphere of a subordinate, and to the mere detail of the duties of public life, than either to originate or improve systems. His course of life and habits of thought and study enabled him to select the wisest means for accomplishing a required end, and to urge the most plausible and persuasive reasons for pursuing that end, rather than for determining absolutely whether, in every point of view, the end proposed was the very wisest and best which could be adopted. And having said this, I feel bound also to say that I believe Gen. Fletcher to have always been sincere in his political opinions and party preferences, to have been an original and honest-hearted democrat, a friend of the people from feeling, habit and education. He was also conservative in his opinions, and, from principle, averse to great and sudden changes in the established institutions of the country, unless for sufficient reasons. But I do not think he had any such fearfulness and timidity in regard to change as would have led him to oppose reasonable changes, with a probable chance of improvement. Had he made politics a leading object of his ambition at an earlier period in life, the estimate of his political character must have been very different. But the public offices which he held were rather incidental to the main course of his professional life, and not expected or intended to divert him from that course, if we except his election to congress in the fall of the year 1836. And at this time even, the unfortunate attacks of epilepsy, which finally terminated his life, had already begun to impair the health of his body and the tone of his mind. He did, nevertheless, continue to discharge his duties in congress for two terms, until March, 1841, with very general acceptance. His health was such that he performed the duty required of him on various committees with credit, and was, for some time, chairman of one of the less important ones. But before the close of the last term, it was but too painfully evident to his intimate friends that the health of his body and the symmetry of his mind were broken down, and that soon “the wheel must be broken at the cistern.” From this till the time of his death, October 19th, 1842, he was almost wholly unable to go abroad, or to engage in active labor.

In regard to his political character and feelings, too, I would be sorry that anything, in my present position or recent pursuits, should, in fact, or in the apprehension of any one, so far suppress any expression of opinion by him upon the points of difference between himself and the opposing political party, as by implication to leave the impression that they either did not exist, or were by him considered unimportant—which might subject Gen. Fletcher to the unjust suspicion of esteeming those matters wholly indifferent which others esteem of the gravest import—or else of being more yielding in his opinions and preferences than would wholly consist with personal independence and self-respect, in which essential ingredients of character he was by no means deficient.

About 1823 he was, for a number of successive elections, the member of our house of representatives from Lyndon, and, at the time of his retiring from that body, the speaker, the duties of which office he discharged with general acceptance, although with no such eminent success as attended his efforts at the bar. Those who were members at the same time, and who witnessed his efforts while on the floor of the house, generally considered that his addresses there were creditable, but from his prominent position, perhaps, he felt called upon to address the house too often, and upon too various topics, to acquire much fame as a debater. This, to those of us who know him to have been, constitutionally, an exceedingly timid and diffident man, may seem not a little out of keeping with his general character. But it is not unlikely his timidity may have, in some degree, contributed to produce that evil. It very often requires more firmness of nerve to keep silence when one's position seems to require him to speak, than to speak.

I cannot better illustrate the comparative excellence of his extemporaneous efforts on the floor of the house, and those of a professional forensic character, made on mature preparation, than by alluding to one of his arguments before the house of representatives in the case of Norman Cleveland, who had been convicted of murder in the county of Orleans and sentenced to suffer death. His friends joined him in petitioning the legislature for a commutation of his punishment. By permission, Gen. Fletcher appeared as his counsel at the bar of the house of representatives. The former respectability of Cleveland, who was at the time of his arrest a physician in considerable practice in the shire of the county, and

connected by marriage with some of the most influential and respectable families in that portion of the state, and some little irregularities, which were alleged to have occurred in the trial of the cause, conspired to throw around this case, at the time, a very unusual degree of interest. Mr. Fletcher's argument, happily combining these extraneous and incidental sources of interest with the palliating circumstances of the case, in regard to the real motive which induced the homicide, was said by those who listened to its delivery to have produced very great effect. The punishment of death was commuted to that of imprisonment in the state prison for the term of five years.

He was military aid to His Excellency Richard Skinner during his term of office, and for many years adjutant and inspector general of the Vermont militia, both which offices he discharged with credit. In this last capacity he was in attendance upon His Excellency C. P. Van Ness during the visit of the venerable Lafayette to this state, and was by that worthy patriot made the dispenser of his bounty, by which the aged Gen. Barton was relieved from his imprisonment for debt in the common jail in Danville.

I have thus briefly sketched the outlines of the life and character of one who was my friend, and, in some sense, my early patron. I can only add that he was an indulgent parent, a kind-hearted friend, charitable to all, unwilling to offend or pain any one, hospitable and generous, and accomplished more for good and less for evil, I think, than most others. "*Et ipse quidem, quanquam medio in spatio integræ ætatis ereptus, quantum ad gloriam, longissimum ævum peregit. Quippe et vera bona, quæ in virtute sita sunt, impleverat.*"

EPHRAIM PADDOCK.

By ELISHA MAY, ESQ.

EPHRAIM PADDOCK was born January 4, 1780, and died at St. Johnsbury, Vt., July 27, 1859. He married Abbie Phelps November 2, 1807. She was born August 2, 1786, and died July 1, 1860. They had two children—Horace, who for many years was one of the most esteemed citizens of St. Johnsbury, and Charlotte, who was the wife of the Rev. W. W. Thayer, the librarian at the æthe-næum of the same town. Mr. Paddock was elected judge of the su-

preme court in 1828, and held that office until 1831. Such, in brief, is the history of this eminent lawyer; it is almost all that can be told of the men of the legal profession everywhere.

The law reports and court records contain the principal results of such men's labors. They do not seek to shine anywhere save in their profession. Living in retirement quite a part of their lives, their fellow men, in fact, know but little about them.

Judge Paddock was never a brilliant man. He possessed but few of those qualities in debate that made Mattocks, Bell, and Cushman famous. He had other qualities of a great lawyer which those men did not possess, particularly the last two.

Industrious, honest and fair, the briefs and opinions of Judge Paddock show careful study and good discrimination. We find the first opinion of the subject of this sketch in 2 Vt. Rep., p. 39, Williams vs. Hicks, in which the court were brought face to face with the recent questions of patent rights, and promissory note given for same. That case and the following ones contain references to the English authorities, with which the author was plainly familiar.

At this time, 1829, we had few Vermont authorities upon most questions of law. Many states that have now excellent reports then had none. Massachusetts had issued the 6th volume of Pickering, Maine the 5th, and New Hampshire the 4th volume of reports. New York had more decided cases than any other state; but there were no adjudications of many commercial and criminal questions. In equity the books were then well up.

Vermont then needed, and she found judges well qualified to break up the ground for an excellent series of reports. Sound sense and correct information were found in the bench of 1828-31.

We find the accomplished Prentiss, the solid Hutchinson, the sound Royce, the scholarly Williams, and the honest Paddock. Few of the cases decided in the 2d-3d Vermont Reports have been reversed or criticised. These men rode no hobbies.

We are told that Judge Paddock preferred the work of practicing lawyer to that of the bench. He at once, after 1831, dropped back into his practice, and in 1852-53 we find him vigorously at work at the bar, settling the question of duties of listers, etc.—24 Vt., 9.

The older citizens of St. Johnsbury refer to Judge Paddock as one of the most urbane of men, kind to his family, doing all he

could to make society better, helping the young business men, and as greatly interested in the schools of the town.

It is to men of his time—to the late Erastus, Thaddeus, and Joseph Fairbanks—this section of Vermont owes much. They saw the need, and furnished the means for obtaining a better education.

Some of the beautiful trees that adorn Main street in the village of St. Johnsbury were planted by Judge Paddock. They form a fitting monument to his pure, happy and spotless life.

That he was a student and lover of the law any person could easily determine by looking at the library he left, now for the most part in the possession of a distinguished judge of the supreme court.

That he was a man of excellent spirit and business capacity the men of St. Johnsbury, who knew him intimately, all testify.

Success, that he attained, was well deserved.

His portrait which now adorns the walls of the Caledonia county court room, is that of a plain, frank man; while not handsome, it is manly and honest.

THOMAS BARTLETT.

By HON. GEORGE N. DALE.

THIS man, who in some respects was distinguished from all others, was a son of Thomas Bartlett. The latter was born in Plymouth, Mass., married Anna Little of Providence, R. I., and was one of the first settlers of Burke, Caledonia county, Vt., where the subject of this sketch was born in 1808, and where he received a common school education. He read law first with Hon. George C. Cahoon, and then with Hon. Isaac Fletcher—both of Lyndon—and was admitted to the bar in Caledonia county about 1835.

He commenced practice in Groton, Vt., remaining two or three years, and then removed to Lyndon, where he resided until his death, having an office at St. Johnsbury the last two or three years of his life. September 13, 1835, he married Harriet Smith of Newbury. Only one of six children survived childhood. This was Dr. H. C. Bartlett, a very popular young man, who, with his wife, was lost in the disaster to the steamer "Columbus." Mr. Bartlett (first named), was state's attorney in and for his county during the years 1839, 1841 and 1842. During those years he was rapidly ris-

ing as a public speaker. His physical inability—a partial paralysis of an arm and leg, occasioned by over-exertion and exposure on the farm—instead of being a deformity, added much to his appearance and his presence, and commanded mingled charity and respect, and, in pleasing contrast with his large form and powerful voice, was of itself eloquent. Sympathy with him and unbounded admiration for his style of speaking was universal. No man ever lived more largely in the minds of his admirers than did Thomas Bartlett. He filled the whole circle of his friends with the brilliant light of a genius, warmed by a great soul filled with generous impulses, and (we must admit, but without apology), intense longings for fame.

He was in the Vermont senate in 1841, 1842 and 1843. As a senator he ranked high and became at once very popular, but here he was not in his element. He was too limited in his means of mental exercise. He felt the want of excitement. He represented the town of Lyndon in the general assembly in 1850, 1854 and 1855. Here he found ample room for the exercise of all his faculties, and he improved his opportunities. Brought into more direct contact with the people, he soon became known and admired throughout the state. His keen sayings and clever illustrations were in the mouth of every one. He was representative in congress from 1851 to 1853, inclusive.

As a legislator he was too little designing to appear himself prominent upon the record. He would not be inclined to originate any legislation with a view to personal credit, nor to identify himself with it, nor with a purpose to honor himself thereby. But he made efforts in the state and national houses which rank among the finest ever made in either place—notably his scathing denunciation of the common school book steal in our state; and an effort that forever silenced an arrogant and impudent fellow in congress.

Nothing but a want of such discipline of the mind and polish as a liberal education would have afforded him prevented his standing alone and without a peer as a forensic orator, is the opinion of many who knew him. His reasoning was powerful and ingenious, but not systematic. In appearance he was tall—over six feet in physical stature—prominent lips, yet so compressed as to indicate great determination of purpose, and the keenest realization of the most trying emergency and a willingness to meet it. Thomas Bartlett was a man of that kind of swarthy complexion which with

long-neglected hair, beard and habit, would suggest desperation, but with his well shaved face, nicely trimmed hair, and neat, and when circumstances would permit, rich dress, it gave him an air very distinguished and dignified. In voice, action and thought, he was bold, frank, and at times, terribly defiant. He was as tender-hearted, sensitive and sympathetic as a girl, and his palsied leg and arm were as eloquent as the rich tones of his heavy, yet pathetic voice, especially when defending the weak and abused. At the same time he had an unmeasured contempt for meanness, and could hate the man indulging in it with a hate that was more than a hate, against which, whenever and wherever personated, his voice rose as a terrific storm in terrible invective. His style was at times extravagant, but he was capable of the closest and clearest expressed logic. His analytical style of reasoning was almost a wonder, replete with unexpected pictures and startling illustrations, racy, and filled with bursts of thrilling eloquence. To example imperfect and faintly remembered instances: He was prosecuting a traveling circus, who traveled, advertised, and in every way held itself out as Sears & Co.'s circus, for so negligently putting up seats that plaintiff fell and was injured. The defendants claimed that the circus belonged to a Mr. Faxon of Liverpool, and that he alone was responsible. Said the advocate: "Gentlemen, I have a dog, and a mean cur he is, too. He comes when I whistle. He goes when I say 'ste-boy.' He follows me wherever I go. 'T. Bartlett' is marked on his collar. I am out with him on a day, and he ravenously attacks my neighbor's sheep. I am called on for damages. I reply, 'Sir, my name is on the collar of that cur. He goes when I say 'ste-boy,' comes when I whistle, follows me and is under my direction entirely, but I can't pay you; that dog belongs to Mr. Faxon of Liverpool!'" Then followed some half dozen more illustrations as pat as this one—only the dim outlines of which I have reproduced here—completely overwhelming the defense, and winning a verdict for the plaintiff.

He was solicited by a young and inexperienced attorney to assist in the defense of a poor widow, whom two rich plaintiffs had got involved in the technicalities of the law. He concluded somewhat as follows: "In conclusion, gentlemen, I am here at the solicitation of my young brother without scrip and without price. I told him I would charge nothing. I reconsider. I will charge, and I ask him

here and now to promise to discharge the obligation. It is this : When my now shattered form shall be laid in its tomb, my lips sealed with death, my voice silent in the grave, my wife set upon by legal robbers armed with the technicalities of the law, and he is standing by with ripened experience and a warm heart, I ask him to walk as boldly to her defense and with as pitying a heart as I have come out to the defense of this poor woman." Then lifting up his palsied arm with the hand of the other, and turning to his young associate, he added, with terrible emphasis, "Will you do it?" His exact words cannot be reproduced nor his manner described, but many eyes were dimmed. There was no noise in that court room. Defending the case of an old man against a charge of assault and battery, in which plaintiff claimed defendant had produced a hernia, the proof of which failed, the plaintiff's attorney begged in his argument for damages for a common assault, and said, "We do not demand a million of money from this old man ; give us fair, reasonable damages." The defendant was a perfect picture of very neat poverty. Mr. Bartlett commenced his address somewhat as follows : "Gentlemen of the jury, I knew my brother R—— when a boy. He was a magnanimous boy. I see him ripening into a wonderfully magnanimous man. But today he has capped the climax of his magnanimity. He says he don't demand a million of money from my client. Good God ! gentlemen of the jury, if he should demand and recover at your hands a million of money from my poor old client, it would reduce him to comparative want. It would seriously interfere with his annual rents and profits."

His sudden transitions from the most stirring passages of his speech to a quiet, deliberate, or pathetic style were seldom equalled. In a flash the whole man, voice, mode, manner and every expression, including attitude of body as well, would be changed, and that, too, without creating the slightest shock or unpleasant sensation. He was very adroit and exhibited great courage in turning a tide of sentiment when he saw it setting against his client.

On one occasion the writer was conducting a case that was almost without question, and in which the client merited sympathy, and counsel flattered himself that a sentiment prevailed that could not be disturbed.

Then the tall form of Mr. Bartlett arose and seemed to assume most gigantic proportions, and with the most serio-comic facial

expression, and in measured cadences, he commenced: "Gentlemen of the jury: We will now conclude these solemn exercises by singing 'Hark, from the tomb a doleful sound! Mine ears, attend the cry,' and while the choir is singing I will invite my friend to 'come view the ground where he must shortly lie.' Then continuing in a strain of grandiloquent drollery, it was not long before the speech which preceded him was out of sight and out of mind. But as in this case, at times his purpose would be so apparent as to destroy the effect of the effort on the case. But, as the client remarked, he "would make things look blue" at such times.

Few men would venture to talk to a jury upon so intricate a subject as special pleading, but I have heard him perform the daring feat of explaining to a jury how a demurrer reaches back through the record, and fastens on to the first defect in the pleadings, in most peculiar manner and language, which latter I cannot even recall. I recollect, however, that after a variety of wonderfully ingenious illustrations of the subject, he closed by saying, "So you see, gentlemen, the plaintiff demurs to the defendant's plea, and the defendant replies, Well, I say, what of it, too? If I have not replied to your declaration properly, I have not replied at all, you say. Now I say your declaration is defective, and so there is no declaration for me to reply to."

The field for the exercise of his illustrative faculties seemed boundless. He was not a remarkable technologist, nor was he, as a rule, a very close reasoner. But his wonderful power was in his broad common sense, and quick apprehension and aptness in dealing with questions of fact, especially those involving probabilities.

In the trial of a case in which the party claimed he did not have time to get off a crossing in time to prevent a collision, not having over two minutes in which to do so, Mr. Bartlett having concluded his address upon that branch of the case, suddenly stopped, and remained steadfastly gazing over the heads of the jury full into the large round face of the clock over and behind them. His impressive manner gradually secured a breathless silence. Then he continued, addressing the clock—"Tell me, thou ingenious chronicler of time, how long will you be in telling us two minutes?" He then commenced moving his hand to and fro in correspondence with the sound of the seconds and counting them for two minutes; and, in the minds of the jury, the man could have been far from

danger long before the expiration of the longest two minutes that the man on the other side ever lived through.

No circumstance or object which he could appropriate ever escaped his quick eye.

On another occasion he was discussing a question of damages against a railway company which had substantially ruined his client's little village residence by building a high embankment, or "dump," along in front of his house, shutting out the view of the highway and a beautiful prospect beyond, and compelling him to climb out of his house as out of a cellar. A measurement of the land so taken was made, and the quantity was stated by the company and its value per acre as a means of getting at the amount of damages. In reference to this Mr. Bartlett said: "Gentlemen, I have a nice broadcloth coat. It cost me one hundred dollars. The cloth was five dollars per yard. This company sends its agent, and he cuts one-fifth of a yard out of the part most prominent to view, and the company say, 'Mr. Bartlett, you have been damaged for my convenience and ought to be paid for it, and, by heaven, you shall be. Here is one dollar—every cent the cloth cost.'"

No one can describe Mr. Bartlett, he was possessed of such spontaneity, such vivid imagination, warm social qualities, generous sympathies, tender-heartedness and lion-like make up, mentally and physically.

He was, of course, not without faults, and during his latter days he was somewhat irritable. But he never lost his magnanimity. His contempt for what he regarded mean or ungenerous led him in his denunciations at times very near the borders of abuse. His bilious temperament at times assumed the "grand, gloomy and peculiar" type; but in it there was no personal malice or envy, and out of it would pour floods of light and warm good-fellowship after the "clouds rolled by." But woe be to the man who took advantage of his infirmity, or sprung an unknown or quietly and designingly obtained docket order on him. Then the offending party had best get in out of the storm, for little technical rules would bend and sway like young willows in a gale. His life created interesting incidents enough to fill a volume. It is saying much, but I venture the remark that the variety in style of his oratory, especially instances of the grand and stormy, yet never destructive or uncontrolled order, were seldom equaled. His torrent-like, but never

boisterous or harsh, voice one would seem to hear like hearing the sound of Niagara after being separated from either. His personal influence was great, his presence warm, impressive and enlivening, and the impress of his absence correspondingly deep. The sun never set on a sadder day to his immediate personal friends than that on which he died, nor did eternal night ever close down upon a life which was succeeded by a more lonely stillness.

BIOGRAPHY OF THE BAR OF ORLEANS COUNTY, VERMONT.

MOSES CHASE.

THE subject of this sketch was born in Cornish, N. H., November 29, 1772, and was the son of Moses Chase, one of the early settlers of that town. His primary education was obtained at the common schools and academy of his native town, and he subsequently took a full course at Dartmouth College, from which institution he graduated with high honors. He went to Litchfield, Conn., and there pursued the study of the law, and upon his admission to the bar, he was married January 20, 1800, to Deborah Ball, of Litchfield, and at once started for the new state of Vermont, and settled at Bradford for the practice of his profession. The first session of court for the new county of Orleans was to be held at Craftsbury on the 24th day of March, 1800, and Moses Chase attended, and on the second day of the session was admitted to the bar, he being the first attorney to be admitted to practice in that county. Mr. Chase lived at Bradford, and practiced his profession until 1833, when he moved to Lyndon. He practiced law but little after removing to Lyndon, and died July, 1861. He raised a family of nine children. As a lawyer he was well read and a safe adviser, always thinking more about the interest of his client than his own fee. In fact, his fee was a secondary matter, and nothing but a pinch of poverty would ever induce him to call for it; consequently he was not successful financially. Like a great many lawyers of his day, the matter of practicing law for the money it would bring him never entered his head. He was a man of very strong impulses, and always went into a case with all the force and vigor of which he was possessed, and which was great. No man at the Bradford bar would call out so many spectators to a trial, because he always

made it interesting. As a citizen he was highly esteemed, his purposes were noble and his advice sound, and he always desired the highest good of the individual, and of society. He was generous to a fault, and would give to charity when he ought to have been circulating a subscription paper for his own family. It was often said in Bradford that Moses Chase was provoked if he lost a chance to head a subscription paper for any good cause.

JOSEPH C. BRADLEY.

JOSEPH C. BRADLEY, son of Capt. Miles Bradley of New Haven, Vt., deceased, was born in Salisbury, Conn., August 8, 1779. His mother was Jane Hogoboom, a native of Germany. He came, when quite a small boy, with the family to New Haven, Vt. He was educated at Middlebury Academy, and after completing his course there, was principal of the same school. He studied law with Hon. Daniel Chipman, and was admitted to the bar of Addison county in 1798, and within a year or two moved to the then new county of Orleans and settled at Greensboro. He at once took a prominent part in the affairs of the new county, his name appearing in almost every case for several years. He was the first state's attorney for the county of Orleans, holding the office for two elections—1800 and 1801. He moved to Hardwick, as near as I can ascertain, about 1804, and in 1813 returned to New Haven, Vt., where he opened an office, and continued in active practice until about 1840, when he moved to Bristol, and died there August 2, 1854, leaving a widow, who died in the same house September 18, 1855. He married Mary White Warner of Hardwick, daughter of Gen. Jonathan Warner, about 1808, by whom he had seven children. He was postmaster in New Haven twenty years, and justice of the peace seventeen years, holding the office after his removal to Bristol.

WILLIAM BAXTER.

THE Baxters of Orleans county are sprung remotely from the Baxters of Norwich, England, who came to America about 1632, and with others from the same county, Norfolk, founded Norwich, Conn. The name Baxter is strongly associated with Norwich,

for about 1775, a colony from Norwich, Conn., founded the newer Norwich in Windsor county, Vt. Among those who came to Norwich in 1777 was Elihu Baxter, and his bride, Triphena Taylor. Fifteen children were born to them in Norwich, the oldest, William Baxter, born August 3, 1778, being the subject of this sketch.

After obtaining what education he could at the schools of that vicinity, he pursued the study of the law with Hon. Daniel Buck of Norwich. After the completion of his law studies, he commenced the practice of his profession at Brownington, and was admitted to the Orleans county bar November 23, 1801, being the second (Moses Chase having been the first), to be admitted in that county after its organization, and resided there until his death October 1, 1827. The Vermont Historical Gazetteer says of him: "William Baxter, although somewhat rough, was a man of great shrewdness and talent, and was for many years at the head of the bar in northeastern Vermont. At the time he came to Brownington all the property he possessed was a pinch-beck watch, a horse, saddle, bridle, saddle bags, a few law books, and some few shillings in money. He hired his board and horse-keeping at Judge Strong's, remarking when he went there that he could not pay his board *then*, and did not know as he ever could; he engaged to pay ten shillings and six pence per week. Luke Gilbert, Esq., one of the prominent inhabitants of the town at that time, hearing that a young lawyer had come into the place, and learning the enormous price he was to pay for board for himself and horse, remarked that 'he had come to a very poor place, and would find very poor picking.' Mr. Baxter (though in very poor health always), soon won for himself a good reputation as a business man, and acquired much notoriety for his perseverance, quickness of apprehension in financial matters, and good judgment of law, as well as ability as an advocate. He was as good a collector as lawyer, and very particular about paying promptly to his clients all that he had collected for them. In the early years of his practice as collector, before he had any property of his own, he was accustomed when collecting for several individuals, to mark each package separately, putting upon the paper the name of the person for whom it was collected, that it might be ready when called for. His perseverance in collecting demands for others, and his prompt manner of doing business, soon brought him into great notoriety about the county, and a large

amount of foreign business was placed in his hands. Mr. Baxter was also a good farmer, and always raised good crops. He appeared to be a good judge of the different soils, and understood their management well. In all his affairs he was as industrious as his health would admit, and in this way he accumulated a great property for a man living in the north part of Vermont, his estate at his death being appraised at \$100,000 or over, all of which he accumulated during the twenty-five years of his residence in Brownington, being an average gain of four thousand dollars per year.

Mr. Baxter was well known as an active man in all town affairs, whether financial or requiring enterprise, and was ever liberal in aiding the religious and benevolent objects of the day. He erected the academy in Brownington at his own expense, the land having been given by Samuel Smith, Jr., and gave it to the county for the purpose of a grammar school, making it one of the provisions that the second story should be appropriated as a place of public worship, until such time as it should be required for the interest of the grammar school. Though making no pretensions to piety, his benevolence and assistance in sustaining religious worship, and the prominence he ever held in the offices of the town, caused his loss to be much lamented by the whole town. It seems that he held, at different times, every office in the gift of the town, from those of hog reeve and fence-viewer to that of the representative of the people in the legislature. He held for a series of years from two to six or eight public offices at a time."

He was state's attorney for the county of Orleans from 1802 to 1814, and assistant judge for 1825 and 1826. He married Lydia Ashley of Claremont, N. H., April 17, 1799, by whom he became the father of eight children, four of whom died while quite young. The names of those who grew to maturity were Portus, Carlos, Charles B., and Eliza.

JOSEPH MARSH.

IN the early history of Coventry, Vt., one Jabez G. Fitch of Vergennes, was the owner of nearly the whole township. May 20, 1801, the whole town of Coventry, including the gore, was sold at auction at the house of Thomas Tolman in Greensboro, and said Fitch was the purchaser; this, with other rights that he subse-

quently acquired, gave him the title to nearly the whole town ; and it was through his agency that the town was settled. In the spring of 1802 he sent an agent to the town for the sale of lands, and the general supervision of his affairs. This agent was Joseph Marsh, an attorney, and the subject of our sketch. He lived in a log house a few rods south of the present residence of George Harmon, now the upper falls. He had a good education, and was quite an attorney for the times ; but to succeed in this new country required greater financial skill than literary attainments. In this Mr. Marsh was lacking, and though he became the owner of some lands, he was obliged to transfer them in payment of debts, and at length removed to Brownington. The town of Coventry was organized March 31, 1803. Joseph Marsh was elected town clerk, also one of the listers. The first freeman's meeting was held September 6, 1803, when sixteen votes, the unanimous vote of the town, was given for Isaac Tichenor for governor, and Joseph Marsh was elected representative. The first lawsuit in Coventry was in the winter of 1805. It was held at the house of B. D. Smith, who was the magistrate. William Baxter, Esq., of Brownington, was plaintiff, and attorney for himself, and Mr. Marsh was defendant, and attorney for himself. The action was founded on a note given to Percy Gardner. The defence was that the note was given for beef, which Gardner warranted all right, and which, in fact, was not sweet. But the plaintiff proved by Gardner and several other witnesses that when Marsh took the beef it was understood it should be for "better or for worse," hence the plaintiff recovered. Mr. Marsh remained in Brownington but a short time, but where he went, or what became of him, I have been unable to ascertain.

EZRA CARTER.

THE subject of this sketch was born at Concord, N. H., February 15, 1773. Of his early life little is known, except that he had a great love for books, and an insatiable desire to acquire a liberal education. After surmounting many difficulties he at last fitted for college, and entered Dartmouth, from which institution he graduated in 1797 with high honors, and the same year accepted the position of principal of the then very flourishing academy at

Peacham, Vt. The profession of law being his aim, he devoted all his spare time assiduously to its study, and was admitted to the bar of Orleans county August 23, 1803, and he was probably a member of the bar of Caledonia county. He never engaged in the exclusive practice of the law, but continued the principal of the academy until his death, which occurred October 10, 1811, at the threshold of what promised to be a very useful life. He was a very successful teacher. He seldom failed to get the good will and high esteem of his pupils. His power to influence, stimulate, and direct them in regard to their character, studies, and future pursuits, was very great. In the early history of that town he filled an important and useful sphere of action, and he had very much to do with giving shape and tone to methods of study, application and industry. For many years large numbers of the young men of that section sought his instruction, either to be fitted for college, or for a business life.

JESSIE OLDS.

JESSIE OLDS was the first white man who settled in the town of Westfield, Orleans county. In the year 1798 he left the town of Montague, Mass., bringing with him his wife, a daughter of Seymour Taft of Montague, and two or three children, entered the unbroken wilderness, and began a clearing on what is now known as the Morse place, formerly part of the farm owned by Hale Clark, on what is called the "west hill" in Westfield. Mr. Olds built a log house, and previous to 1802 had erected a frame barn, probably the first one in town. It is thought he had one daughter born in Westfield, which may have been the first one in the town. He set out an orchard near his house, a few trees of which still remain alive. As his house stood near the only road leading into town from the south, it was frequently the temporary residence of the early settlers. For nearly a year Mr. Olds and his family lived with not another resident nearer than North Troy, twelve miles distant; their nearest neighbor on the south was at Craftsbury, twenty miles distant. Mr. Olds possessed an aspiring, stirring disposition, and figured somewhat conspicuously in the early history of the county. He was a man of education, and genteel appearance and address. He had been a minister of the gos-

pel as well as a lawyer, but in consequence of some financial or other difficulty in life had left both professions for the time being, and retired to the wilds of Northern Vermont. He always bore a good character here, but never had officiated as a minister, so far as is known, but once. In June, 1799, two of the sons of Abel Skinner, who was then living in the town of Potton, C. E., were drowned in the Missisquoi river, and Mr. Olds was called upon to preach a funeral sermon, which he did very acceptably, from the appropriate text, "Be still, and know that I am God," 46th psalm, v. 10. He was elected assistant judge of Orleans county court in 1800, and held the office for two years. At a meeting of the freeholders, held at his house March 29, 1802, when the town of Westfield was organized, he was elected clerk and one of the listers, and in the fall of 1802 he was elected Westfield's first representative to the general assembly, and was again elected in 1803. When Judge Olds first represented the town of Westfield, the settlement consisted of the families of Messrs. Olds, Hobbs, Hartley and Burgess, and a mulatto man by the name of James or Jim Prophet, as he was called, who lived with Judge Olds. A story used to be told that at this first freeman's meeting there were but two white men there—Judge Olds and Mr. Burgess, and both being anxious to represent the town, each voted for himself; but "Jim," the mulatto, happening to live with the judge, voted for him, and he was triumphantly elected. The facts of history, however, dispel this pleasant story, as the old records show some five or six voters present. In 1804 Judge Olds moved to Craftsbury, and March 4, 1805, he was admitted a member of the Orleans county bar. Judge Olds represented Craftsbury in the general assembly from 1808 to 1814, inclusive. He moved from Craftsbury to Randolph, Vt., in 1815, and from there to Kentucky, and afterwards to the southern part of Illinois, where he died.

HENRY WORKS.

HENRY WORKS, according to the records of the court of Orleans county, was admitted to the bar March 4, 1805, from the town of Brownington, but never practiced there to any extent, as his name does not appear as attorney of record in any cause, and I am informed that soon after his admission he left the town.

HEZEKIAH FROST.

HEZEKIAH FROST came to Derby, county of Orleans, from the state of Connecticut as early as 1804. He seemed to be a liberally educated man, and was engaged in teaching the village school a good part of two years. When not engaged in teaching he pursued the study of the law, and was admitted to the bar of Orleans county March 3, 1806, and soon afterward returned to Connecticut.

CHARLES REYNOLDS.

CHARLES REYNOLDS was admitted to the bar of Orleans county, August 25, 1806, from the town of Derby, but I can not find that he ever opened an office in that town for the practice of his profession. In 1808 he commenced practice in the town of Sheldon, Franklin county, and was there about three years; but where he went from there I have been unable to ascertain.

JOSEPH H. ELLIS, et. al.

THE following named persons, according to the records of the county, were admitted to the bar of this county on the dates given below; but the place where they resided when so admitted does not, in any instance, appear on the record, and their names never afterward, in any cause, appear on the docket of the court as attorneys. Nor do their names appear among the attorneys of the state, so far as I can learn. Joseph H. Ellis, admitted August 24, 1807, Samuel Upham, February 28, 1822, and John L. Fuller, September 9, 1822.

HORACE BASSETT.

HORACE BASSETT, who was admitted to the bar of Orleans county, August 8, 1809, lived at Peacham, Caledonia county, at the time, and never lived in Orleans county.

ROGER GRISWOLD BULKLEY.

THE subject of this sketch was born at Colchester, Conn., May 6, 1786, the son of Roger and Jerusha (Root) Bulkley, and was educated at the common schools and academies of Connecticut, and attended Yale College. He commenced the study of the law in Connecticut, but in 1806 or 1807 he came to Montpelier, and entered the office of Charles Bulkley, and August 8, 1809, was admitted a member of the bar of Orleans county. Having been married in that year, he went to Williamstown, Vt., to practice his profession. In 1812 he enlisted and served during that war, holding the office of sergeant. At the close of the war he moved on to a farm in Duxbury, Vt., near Moretown village, where he tilled the soil and practiced law in a small way until 1842, when he moved into the village of Moretown, and there spent the remaining years of his life, practicing law and doing considerable business as a trial justice, with the exception of a few years he held the office of justice of the peace, until he became infirm and incapable. He was a member of the constitutional convention of 1857, in which he took a prominent part. He was a man of good native ability. He was a very tender-hearted man, one that all when in trouble applied to, and never applied in vain. He was continually caused trouble by becoming bail for, and signing notes with, his neighbors and townsmen, that he afterward had to pay. He died February 2, 1872, at the advanced age of eighty-six.

JOSHUA SAWYER.

JOSHUA SAWYER was born in Old Haverhill, Mass., July 23, 1789. His ancestors were highly respectable people, and settled in Haverhill as early as 1640. He was educated in the schools of Haverhill and Newburyport, and studied law with Hon. Edward Little of the latter place, and his old law preceptor gave him a letter of introduction to friends in Vermont, bearing high testimony to his integrity, scholarship, and gentlemanly qualities. He was educated in what was called the old school of gentlemen, and great urbanity marked all of his intercourse with his fellowmen through life. In June, 1809, upon the call of his brother, N. P. Sawyer, he

went to Burlington, and entered the office of the Hon. Daniel Far-
rand as a student at law, in order to comply with the bar rules, then
in strict force in Chittenden county, at least, that the last year's
study must have been in Vermont. Mr. Sawyer, intending to set-
tle in the practice of his profession at Hydepark, then a part of
Orleans county, was admitted to the bar in that county August 27,
1810, and at once commenced practice at Hydepark. His practice
extended and grew, and for more than forty years his practice was
one of the largest in the state, and he was probably engaged in
more suits than any other lawyer in Vermont. In his early prac-
tice he came to the courts of Chittenden and Franklin counties,
but his best field was in Caledonia and his own county. In those
days the bar of those counties was the most brilliant in the state,
and there young Sawyer, by the fertility of his resources as a man-
ager, and the brilliancy of his wit and his imperturbable self-
possession in trials, fairly held his own as a practitioner, and
commanded his full share of business and success. He was the
peer of Mattocks, Bell, Baxter, and a generation of noble men—all
of whom he survived. At a later period, in the early history of
Lamoille county, he became associated with a circle of strong men,
and here again, although distracted by pecuniary embarrassments
and fast approaching the decline of life, he sustained himself with
credit, proving himself no unequal match for the best of his com-
petitors. To the end of his days he was remarkable for an exhaust-
less fund of anecdote, a readiness of repartee, and a courtliness of
demeanor which made him a most agreeable companion. With him
the garrulousness of old age had little that was tiresome; his sto-
ries were seldom repetitions, and his wit was fresh and sparkling
as the youngest. As he mingled with his younger associates, his
erect form, straight to the last as an arrow, and his dignified car-
riage, reminded one of an ancient tree standing above its surround-
ings, whitened by storms and scarred by lightnings, but yet king
of the forest to the end. He was chosen representative to the
Legislature for the town of Hydepark, from 1811 to 1832, in all
eleven elections. The last two or three years sent expressly as the
strong man to obtain the new county of Lamoille. He may truly
be said to have been the father of Lamoille county, as it was very
largely owing to his skillful management in the legislature that the
county was formed.

He was state's attorney for the county of Orleans from 1816 to 1823. Mr. Sawyer was unfortunate in the matter of property, having lost by fire, January 26, 1826, his dwelling and out-buildings, together with almost their entire contents. There was no insurance, the time having not arrived when insurance was common in Vermont; and again in 1828 he lost heavily in the failure of the iron business, of which Mr. Sawyer was the projector and an extensive owner.

He died at Hydepark, March 16, 1869, aged 80 years. He married in December, 1811, Mary Keeler, daughter of Aaron Keeler of revolutionary fame, by whom he had ten children.

AUGUSTUS YOUNG.

THE subject of this biography was born in Arlington, Vt., on the 20th day of March, 1785. His father was a revolutionary soldier, and fought under Gen. Wayne at Brandywine, Germantown, Monmouth and Stony Point. His mother was Mary Willoughby, of a very excellent family, and to her teachings Augustus was always disposed to attribute those aspirations for a higher and better life. His education was very limited, consisting of a few winters at a district school when between seven and sixteen years of age. Before he was seventeen years of age he removed with his mother and her younger children into that part of the town of Sterling that has since been annexed to Cambridge. For several years he labored with untiring energy in beating the bush, and supported his widowed mother and family. Not being robust, he had to abandon so rigorous a life, and entered the law office of Isaac Warner at Cambridgeboro', subsequently completed his law studies with Judge Turner at St. Albans, and was admitted to the bar of Franklin county in August, 1810, and soon after commenced the practice of his profession at Stowe, where he remained about two years. He secured some business, but concluded to remove to Craftsbury, one of the shires of the new and growing county of Orleans. While in Stowe the following is told of him: "One Elias Kinsley, who lived on what is called West Hill, on a place since called the Kinsley place, lost a sheep. Some time afterward a sheep's-head was found near the buildings of old Mr. Andrew

Luce, who lived in the same neighborhood. Kinsley thought he recognized the head as having belonged to his sheep, and employed Young to commence a suit. Luce employed Roger G. Bulkley of Duxbury, to defend. On trial one Samuel Robinson was called as a witness to identify the sheep, and swore that he knew it was Kinsley's sheep by the Roman nose of the head produced. Bulkley (who had a huge nose), in his argument remarked that it was a curious way to identify a sheep by the shape of its nose, so long after death. Replying to this, Young in his argument, insisted that there was nothing singular about the method of proof—that it would not be difficult to identify his brother Bulkley by his nose six months after his death."

Friends and clients gradually gathered around him in his new home, and a growing practice rewarded his diligence, sobriety, and untiring industry. Always upright and honest, he was a safe and wise counsellor for the people of the town and vicinity, and they were willing to honor him with places of trust and confidence. He was the representative to the legislature from the town of Craftsbury for the years 1821-22-23-24-26-28-29-30 and 1832, was state's attorney for the county of Orleans for 1824 to 1827, was senator for that county from 1836 to 1838, and was also judge of probate for the county. He subsequently moved to Johnson, and later to St. Albans, where he died in the seventy-sixth year of his age. He was elected to congress from the third congressional district of Vermont in 1841, and served one term, and was assistant judge of the county court for the county of Franklin in 1851-52 and '53, in all of which positions he sustained himself with dignity and ability. To the court, the bar, and his large circle of friends his social qualities were well known and appreciated. His literary and scientific labors he always hoped would in time be better understood, and his philosophical opinions be more commonly received. He believed to the fullest extent in the sublime teachings of the holy bible.

JOHN WALLACE.

By HON. C. B. LESLIE.

JOHN WALLACE was the son of William and Hannah (Carlton) Wallace. He was born in Newbury, Vt., August 9, 1789, graduated at Dartmouth in 1808, and was admitted to the Orleans

county bar at the August term, 1811. He practiced in Newbury, where he died unmarried in July, 1826. I am credibly informed that he was of small stature, a fine scholar, and a polished and eloquent speaker. In politics he was a federalist, and belonged to the Washingtonian society. He never obtained a large practice, not being in a good field, and spent his time in literary pursuits. In other words, he was too much of a scholar to obtain a large practice. His habits, I understand, were rather convivial, and he died at the age of 37 years. He delivered an oration against the war of 1812 before a large concourse of people at Newbury, Vt., at the request of the Washingtonian society, which address was published.

PETER BURBANK.

By HON. C. B. LESLIE.

IN the old cemetery at Wells River village in the town of Newbury, Vt., lie the remains of Peter Burbank. A marble headstone marks his grave, and has the following inscription upon it :

“ Peter Burbank.
Counsellor at Law.
Died January 16, 1836,
Aged 55 years.”

Mr. Burbank came to Wells River some time before 1820, but the precise time I can not state. I have the library which he owned, and in “Coke upon Littleton” is inscribed upon fly leaf as follows : “Peter Burbank bought, November 10, 1810, price \$17,” and that S. D. Burbank also once owned the book, thus showing that he was as early as 1810 engaged in reading law, but probably not practicing. The record shows he was admitted to the bar of Orleans county, August 24, 1812. He came from the state of Connecticut, and I think from the town of Somers. I understand that he spent some portion of his time, prior to locating at Wells River, in the office of the late Gov. John Mattocks at Peacham, Vt.

He was a very strong man intellectually, not a liberally educated man, but a man of excellent judgment, good mental ability, and strong common sense. And he was well grounded in the elementary principles of the law, of a very retentive memory, being also very diligent in the study and preparation, and vigorous and ener-

getic in the trial of his causes, quick to see and apprehend the vital points in his case and the weak side of his adversary, and always ready to take advantage thereof, and being thus equipped he was a hard antagonist to meet. He was a careful counsellor, and therefore, as a natural consequence, he was very successful in his profession. His practice was very extensive, and he accumulated considerable property by his practice. His style of oratory was not scholarly or grammatical, but his arguments to courts and jurors were full of strong common sense logic, going right to the point. He was a very rapid speaker when he became excited. He was of the Gov. Mattocks style in his talk, and was the peer of such men as Mattocks, Collamer, Marsh, Fletcher and Bell, and other members of the bar of the state in his day.

Mr. Burbank was very eccentric, and most especially so in his dress, frequently wearing on one foot a boot and on the other a shoe, an old-fashioned broad-brimmed, round-crowned shaker hat, and a ruffled shirt front. His absent-mindedness was sometimes very ludicrous. Once he started for Danville to attend court, and rode off up the hills towards Ryegate in his old gig bare-headed, and he went a mile or more before he realized that he was hatless. His likes and dislikes of persons were very strong and tenacious, never forgetting a friend, for whom he would do all in his power to help; but one whom he considered an enemy he hardly ever forgave. He was in politics a democrat, and he represented the town of Newbury in the legislature for the years 1829, 1830 and 1831, and it was during his being a member that the bank of Newbury was chartered through his influence and efforts. There was a great effort made after its charter to have it located at Newbury village, which was then quite a business place, but Mr. Burbank succeeded in getting it located at Wells River. He was a very persevering man in whatever he undertook, and generally accomplished his end. He never married, and for some years prior to his death lived on his farm, which he called the hermitage, in the northwest part of Newbury, near the village of South Ryegate, where he died. He lived a rural life, and before he went to the hermitage he carried on land, not laboring himself, but hiring help to do the labor and he directing. He was exceedingly fond of good stock, especially horses, and owned and kept the celebrated Morgan horse, which was known as the "Burbank Horse" after he bought him, but

before that was called, I am quite sure, the "Woodbury Horse." He was in full practice of his profession at the time of his death, he having the late Elijah Farr as his partner at the time of his decease. He took cold, as I remember, at the December term of Orange county court, A. D. 1835, and came home sick and died at the hermitage.

DAVID MANNING CAMP.

By DAVID M. CAMP.

THE subject of this sketch was born in Tunbridge, Vt., on the 21st day of April, A. D. 1788, in a veritable log cabin. He was the son of Abel and Anna (Manning) Camp, his father being one of the traditional three brothers who came probably from England, and was one of the early settlers in Tunbridge. David M. was the fourth child in the family, and, being unusually bright and active, he readily became the pet of the household. To use his own language: "In early life I had the prestige of smartness somehow fixed upon me by my ill-judging friends, from the untoward effects of which I have never recovered." In those days labor was the business of the community; educated minds were rare, and hence the opportunities for mental improvement were very limited. Young children of the first settlers had never seen a school, and the older ones, especially the boys, could not be spared from labor, save for a few weeks in the winter. Rapid progress was made in the settlement of the state, and a corresponding improvement in educational facilities, so that at the age of fifteen Mr. Camp had acquired a good common school education for those days. For a term or two he attended an academy in the adjoining town of Royalton, and in his eighteenth year entered Dartmouth college. But an unexpected event soon dissolved that relation, and after a summer of active labor on the farm he entered the University of Vermont, from which he was in due time graduated with honor. His class in the university numbered seventeen, and before graduation he, with eleven others, had chosen the legal profession, then generally considered the surest and most direct way to ease, eminence and wealth. Immediately upon graduation he entered the office of Hon. William Brayton at Swanton, Vt., and commenced the study of law. Want of funds made it necessary to

secure some kind of labor as an aid in meeting current expenses. This he found in clerical work for his instructor, who had a large practice, especially in the way of collections, and in similar work for the collector of customs for the district of Vermont, who had his office in the same building. With this mixture of labor and study the effect upon him, like many another, seemed somewhat unfortunate. When the drudgery of the office was completed, he had little relish for study and earnest, efficient investigation. He says: "Law-reading under such circumstances was simply hateful, laborious and unprofitable. My acquisitions, therefore, in legal science were few, fragmentary, ill-digested and ill-arranged, and so I was unfitted and insufficient for the ordinary labors and uses of the profession." While such an unpleasant confession was not warranted, a long and useful life having fully proven his fine ability, rare judgment, and sound practical education, yet the admission was in a degree true in his case, as in many others. A few more sentences of his in this same connection, emphatically true in these times, may prove of interest and benefit to readers of this sketch. He says: "It has long been a subject of wonder and regret that gentlemen of this profession have so little *esprit du corps*, so slight an interest in the reputation and welfare of their young brethren, and so small a regard for the people at large, as to permit them to tolerate the abuse of receiving to their number persons utterly unfitted to perform the duties and bear the responsibilities of a class so necessary, so honorable, so useful. The same abuse, however, is found in all the professions; the door of entrance is capacious, the young adventurer is ardent and importunate, his friends, perhaps, are respectable, influential and clamorous; it would, they say, be cruel, perhaps dangerous, to repulse him, he may yet do well, become eminent and—the ordinary fruit of a stupid and absurd course is found to follow."

In September, 1812, Mr. Camp was admitted to the bar, and for a single year practiced in company with Judge Brayton. The war of 1812 in great measure broke up the courts, through the unsettled condition of things, and many lawyers taking up the profession of arms. Mr. Camp then removed to Derby, in the comparatively new county of Orleans, where he continued his services as an officer of the customs, and attended to such professional business as was offered.

At that time prohibition of trade on the frontier gave rise to an active, illicit intercourse with Canada. This trade gave enormous profits, and many bold, enterprising, and unpatriotic citizens engaged in it. A large detective force became necessary, and the compensation was not large enough to secure men of the highest capacity or the best character. Many of them were very unpopular, and so collisions were constantly occurring between the officers and the smugglers. Mr. Camp, though closely confined to his office by his legitimate duties, was generally believed to be guiding in many cases the operations of these detectives. Affairs were badly mixed for some time, so that his professional business suffered greatly, and even before the close of the war he began to weary of the profession, and as he remarked, "became quite disgusted in looking to the future with the small amount of business it promised, and the bitter fruits of certain threatening combinations among my fellows of the popular political faith of the county."

On the return of peace, commercial intercourse with the British provinces was resumed, and all kinds of property could be carried either way, and an honest entry and payment of moderate duties made every person and his effects perfectly safe. Mr. Camp was induced to remain in the custom house, and for twelve years quiet and prosperity seem to have been constant and uniform. During this period his law business was transferred successively to E. H. Starkweather and Lewis Marsh. He remained in the customs department until relieved of duty in 1829 by a political change in the administration. Some three years previous to this, or about 1826, he finally and entirely abandoned the practice of law.

In 1830, being quite at leisure and having some cash funds unemployed, he went into the mercantile business with Capt. Rufus Stewart, who was late an officer in the United States army, in the war of 1812. Two or three years after, the Captain sold his interest in the business to Jacob Bates. The new firm continued in trade a few years, but not proving successful, the business by mutual consent was closed out.

In September, 1815, having purchased a house and a few acres of land adjoining, having paid all debts and found a fair competence remaining, he married Sarepta Savage of Hartford, Vt., and at the mature age of twenty-seven established a home and new family at the center of the pleasant and flourishing town of Derby.

In 1825, Mr. Camp was elected as representative from Derby in the general assembly, and again in 1826, 1834 and 1835 the like honor was bestowed upon him. In 1836, when the amended constitution of the state, creating a senate, went into effect, and the new state house was completed, he was elected to the office of lieutenant-governor, and *ex officio* became the presiding officer of the first Vermont senate. For five years he held this honorable position, and it is safe to say that as a presiding officer in that body, in the half century since his time he has had hardly an equal, never a superior. With a fine physique, good voice, commanding presence, quick perception and ready judgment, he was pre-eminently fitted to control and direct the deliberations of men in any assembly. In the years 1842, 1843 and 1844 he was senator for the county of Orleans, thus completing twelve years of active, efficient and valuable service as a legislator—four years as representative, three as senator and five as presiding officer of the senate.

Previous to his legislative service, in 1816 he held the office of state's attorney, and for several years subsequent that of assistant judge of the county court for the county of Orleans. In all these positions of trust he served faithfully and acceptably. If any one characteristic predominated in his nature and active life it was that of performing every duty strictly, according to provisions of law, or in the absence of legal direction, in accordance with strict principles of right and justice.

Mr. Camp was deeply interested in all educational matters. He was always a strong friend and active supporter of the academy at Derby, whose origin, growth and success he ever watched with the greatest interest. Not only the institution itself found in him an earnest friend, but many students found a pleasant home in his family, and often gained strength and inspiration from his words and assistance judiciously rendered. The early recollections of the writer are of a pleasant character, when at the age of twelve he became a member of the family and commenced his academic course. We remember clearly his words of encouragement and advice, when a mere boy we were struggling with the translation of our first exercise in Virgil, and almost ready to give up the contest. Those words were a stimulus never forgotten. Many another student in similar circumstances has received from him like encouragement and renewed hope. He fully believed in the common

schools as the foundation of a thorough educational system, and for several years devoted his time and best energies to their improvement. He fully realized in his own meager school privileges in early life, the necessity for better instruction brought within the reach of all, even the poorest and most humble. Under the act of 1845, for the improvement of common schools, he was for several years superintendent for the county of Orleans. Most of his time for these years was spent in the visitation of schools in all parts of the county, in public lectures, examinations and holding of institutes. If he did not originate the idea, he early established county institutes of several days duration, and by his thoroughness in drill and insisting rigidly upon prompt, systematic, and orderly discharge of all duties in the school-room, by teacher and pupil alike, he imparted an unwonted enthusiasm, and greatly elevated the standard of the common schools in the county. We question if to-day these schools throughout the county rank as high in thoroughness of instruction, in discipline, in politeness, in solid practical education as under the county system of supervision and his efficient management. When the office of county superintendent was abolished his interest in the work still continued, and he was afterward superintendent in the towns of Derby and Montpelier. In his school work his chief underlying principle was thoroughness, and especially in the rudiments, at the beginning of the child's education. After years of experience he became convinced that the old and common method of teaching the child to read by first learning his letters was not the rational and best method, and he became a strong advocate of the word method, which in all these years since has been making slow but sure progress.

With the close of his public labors in educational matters, his active public life may be said to have closed. With advancing years and property amply sufficient to relieve him from the necessity of daily labor in any profession, he retired from public life, and passed the remainder of his days in comparative quiet and ease.

In May, 1853, his wife died after a brief illness, and in November of the same year he married Miss Almira Howes of Montpelier. In 1854, having disposed of his real estate in Derby, he removed to Montpelier. A few years were passed there and at the west, in Milwaukee and Minneapolis, when a strong longing for his old home led him to return to Derby, where he purchased a pleasant place,

and quietly passed down the declivity of life, reaching the end February 20, 1871, having nearly attained the age of 83 years. His wife is still living at the old homestead. Three children by the first marriage still survive: Dr. Norman W. Camp, an Episcopal clergyman, now residing in Washington, D. C., associate pastor of Epiphany church in that city; Hoel H. Camp, who for thirty years or more has lived in Milwaukee, Wis., now president of the First national bank, and one of the solid men of that city; and, Frances Harriette, wife of Prof. J. R. Webb of Benton Harbor, Mich.

This brief sketch can give but the merest outline of a long life. His was in many respects a quiet, unostentatious life, yet active, prominent, successful. He was retiring almost diffident yet dignified, approaching very nearly to the type of "a gentleman of the old school." This made him sometimes appear to a stranger as stern, reserved, or as this age would say "cold-blooded," yet he was kind, sympathetic, tender-hearted, pleasant and social. It needed long and intimate acquaintance to know him fully. He had a strong will, and so his likes and dislikes were equally strong. It required comparatively little time for friends and enemies alike to ascertain his true feelings toward them. As a rule his words were few, well chosen, and plainly spoken; their meaning easily and fully understood. These characteristics with a thorough abhorrence of every species of duplicity, dishonesty and deception, in politics, business, religion or social life, occasionally led him into sharp controversies, in all of which he held firmly to his own convictions of right, and usually gained his points. He was thoroughly an honest man; a just man, desiring to receive in all business transactions just what belonged to him, no more, no less, and was equally desirous to accord just the same to others. He was a strong temperance man, and an ardent advocate of total abstinence. He was also a religious man, having confessed his faith, and with his wife united with the Congregational church in Derby in the year 1825, with which body he continued his relationship till death.

Of his ability or success as a lawyer the writer is unable to speak advisedly. But a small portion of his active life was devoted specially to that profession, from which we may infer he was not ardently attached to it. He possessed a fine intellect, quick perception, sound judgment; was free and convincing in speech, sharp, pungent, and sarcastic, if necessary—all essential qualifications for

the profession ; yet we are led to believe from his own admissions that he felt the need of a better preparation for the work than he had been able to secure. This, with the somewhat unfavorable circumstances under which he commenced his practice, no doubt diminished his courage and weakened his earlier love for the profession, and perhaps led him thus early to abandon it for more congenial, and it may be more efficient service in other directions. Certain it is that what the legal profession may have thus lost, his town, county, and state gained in active, well-directed efforts in behalf of educational, political, social, and religious interests of the people.

CHESTER W. BLOSS.

CHESTER W. BLOSS, whose name appears among the attorneys of Orleans county as having been admitted to the bar March 13, 1813, never lived in the county. He came early to Peacham, Caledonia county, and soon had quite an extensive practice, both in his own and the adjoining counties. The late Hon. Bliss N. Davis of Danville, said of him: "I had no acquaintance with him until I came to the bar myself in 1824 ; he was then in good practice at Peacham, and continued so until about 1838, when he moved to Beaver, Penn. I do not understand he practiced his profession after he left Vermont. I heard of him as a hotel-keeper. Mr. Bloss had the reputation in this county of being a very conscientious lawyer, and very efficient in his business, mostly collecting, as that part of the practice at his day was very lucrative. The late Gov. Mattocks was practicing law in Peacham at that time, and it would take a man of high professional standing to compete with him."

CHARLES DAVIS.

Biographical Sketches of Eminent American Lawyers.

WHILE it has been so universally remarked, as to have become almost a truism, that in the country in which we live, and under our republican form of government, family rank and great wealth give to the possessor no real advantage over the one who brings to his aid only commanding intellect and moral worth ;

yet this should detract nothing from the meed of credit awarded the self-made man. The factitious obstacles to his progress which would exist under a different state of society are removed ; but the struggle is none the less praiseworthy that, by the removal of these obstacles, the man of ardent aspirations finds himself a competitor with the entire mass of his fellow-citizens. We are accustomed, it is true, to refer with pride to our ancestry, if we can trace the time back to those men of the seventeenth century, whose pride of conscience rose superior to pride of power, and whose purity of conduct and motive justified as applicable in truth the name which their enemies conferred upon them as a reproach ; yet we refer to our *puritanic* descent only as evidence of the unblemished character which we inherit, and are bound by our earnest efforts to sustain. This was the only advantage of birth possessed by Charles Davis, who is the subject of this sketch, and he, by his own industry and perseverance, gained for himself the reputation which he sustained of a sound lawyer, an able judge, a faithful and efficient public officer, and a man of unflinching integrity and honesty of purpose.

Judge Davis was born in Mansfield, Tolland county, Conn., January 1, 1789. His family was of the genuine Puritan stock, their ancestors having emigrated from England to Massachusetts early in the seventeenth century ; and early in the eighteenth century branches of the family were settled in Mansfield. His father, Philip Davis, was also a native of Mansfield ; he was a farmer and mechanic, and was a man of great industry and activity in business, of sterling honesty and integrity, and of exemplary piety and purity of character. In January, 1792, he removed with his family to Rockingham, in Vermont, where he resided until October, 1806, when he removed to Middlebury, Vt., in order that he might, with the more facility, give to his son the advantage of a collegiate education ; and he continued to reside in Middlebury until August, 1822, when he died at the age of sixty. Until his removal to Middlebury his son pursued diligently the occupations of his father, with no other advantages of education than were derived from his attendance a few months in each year at district schools, and two terms at neighboring academies ; but in the spring of 1807 he commenced his studies preparatory to his collegiate course, and pursued them with such diligence and success that in August, 1808, he was

admitted a member of the sophomore class in Middlebury College. He was associated, in his class, with many young men of talent and promise, several of whom have since attained distinguished honors, both in the state and under the general government. Among them young Davis took rank as a diligent and successful student, and when he graduated in 1811 he pronounced an English oration, then esteemed an appointment, not the first, indeed, but highly respectable. In September, 1811, immediately after his graduation, Judge Davis commenced the study of the law at Middlebury in the office of Daniel Chipman, Esq., who then held a very high rank in his profession in the state, as a man of much sagacity and native talent, and of very extensive legal learning. Mr. Davis pursued his studies without interruption, under the tuition of his able instructor, until June, 1814, when he was admitted to the bar. In December, 1814, he married Miss Lucinda Stone of Chesterfield, N. H., who died January 26, 1884, aged ninety-five years and three months. During his residence in Middlebury he became warmly engaged in the exciting political topics connected with the then existing war with Great Britain, and was for some year or more editor of the "Vermont Mirror," a newspaper strongly opposed to the war; yet, though thus strongly opposed, he always advocated the duty of defending the country, when invaded, and several times tendered his personal services in the militia for that purpose. His position as an editor brought him into immediate contact with many of the most active and able politicians of the day; but although the contests in which he engaged were warm and often exciting, and he young and ardent, esteemed it no part of the duty of an editor to lose sight of the amenities and courtesies of life. He continued to enjoy, in an eminent degree, the friendship and confidence of men of opposite views, with whom his editorial writings brought him more immediately in collision. In June, 1816, Judge Davis removed to Barton, in Orleans county, then comparatively a new county, where he resided until March, 1818, when he removed to Waterford in Caledonia county, and remained there until November, 1828, when, his professional business having become much enlarged, he removed to Danville, the county seat. There were strong men then at the bar in that section of the state—John Mattocks, William Mattocks, Isaac Fletcher, Seth Cushman, James Bell and Ephraim Paddock. They were all lawyers of high standing in their

profession, and have left behind them a reputation which their descendants may well esteem their best birth-right. Among these men of strong minds, some years his seniors in age, Judge Davis wrought his way to professional distinction.

With such competitors, and struggling for years against narrow pecuniary circumstances, amid the cares of a growing family, with a physical constitution never robust, and often impaired by ill health, his success could not be rapid; but his constantly increasing practice and present extended reputation prove that he laid the foundation firmly of professional eminence. In 1828 he was elected state's attorney for the county of Caledonia, which office he held for seven successive years, discharging its duties with fidelity and success, and in 1838 he was again elected to the same office, which he then held for one year. In 1831 he was elected clerk of the house of representatives of Vermont, but severe sickness compelled him to decline a re-election.

Upon the accession of Gen. Harrison to the presidency in 1841, Judge Davis received, without solicitation upon his part, the office of district attorney of the United States for the district of Vermont, which office he held until the expiration of his commission in 1845, when he gave place to a member of the political party which had then gained the ascendancy. In October, 1845, Judge Davis was elected by the legislature to the office of judge of probate for the district of Caledonia, and again in 1846; but at the same session, a bill having passed the legislature providing for the election of an additional judge of the supreme court, that office was tendered to and accepted by Judge Davis, and was held by him for two years. Upon the bench Judge Davis endeavored honestly and with an unaffected love of truth and justice, and with an industry and application superior to the capacities of his physical constitution, to acquit himself creditably and faithfully. The opinions delivered by him, and published in the nineteenth and twentieth volumes of the Vermont Reports, are noticeable for forcible reasoning, fortified by the results of most thorough research. No analogy of the law escaped him, and no authority bearing upon the question was overlooked. His reputation as a lawyer, thoroughly educated in the principles of his profession, and as an able and honest judge, may well be allowed to rest upon these published examples of his industry.

After his retirement from the bench the townsmen of Judge Davis manifested their confidence in his integrity and their appreciation of his talents by electing him as their representative to the legislature of the state at the October session, 1851, although there was a majority of more than two to one in the town against the whig party, of which he was well known to be a firm and unwavering member. Deservedly placed, during that session, at the head of the judiciary committee, the arduous duties devolving upon him were performed with a faithfulness and industry best evidenced, perhaps, by the published laws of the session, and the reports emanating from his pen, which were extensively read and appreciated throughout the state. Unlike most lawyers, Judge Davis did not allow the duties of his professional or official life to prevent his acquiring an intimate acquaintance with general literature, and while Coke and Blackstone received their share of attention, his hours of relaxation were ever devoted to cultivating an acquaintance with the ancient classics, the best English authors, as well as some of the modern languages. The last few years of his life were spent with his son, Isaac T. Davis, at Rockford, Ill., where he died November 21, 1863, aged seventy-four.

WILLIAM HOWE.

By PROF. ESTES HOWE.

WILLIAM HOWE was descended on both sides from the old Puritan stock, who came to Massachusetts in its infancy. His father was Dr. Estes Howe, who was a surgeon in the revolution, and was present at Bunker Hill and Saratoga. His mother was Susanna Dwight. William was born at Belchertown, Hampshire county, Mass., where his father practiced medicine more than fifty years from the 4th of February, 1774.

William was the oldest of six children, two of whom died in infancy. The survivors were a sister and two brothers besides himself.

His father realizing the want of early education himself, sent all his sons to college. William graduated at Dartmouth in 1794. He studied law at Amherst, the next town to Belchertown, with Hon. Simeon Story, a distinguished lawyer, who was in 1801 made one

of the justices of the supreme judicial court. After being admitted to the bar he settled in Hartford, Conn., but after a short time embarked in mercantile pursuits, in which he was engaged for some years, but finally failed, and found himself not only penniless, but liable under the then prevailing law and custom to imprisonment for debt, at the discretion of his creditors. To make a new start in life he emigrated to the extreme northern border of Vermont, where his father bought him a large farm in what was then almost a wilderness. At Derby Line he established himself, and having given a year to refreshing his knowledge of the law, he opened an office April 28, 1814.

He married Anna Child, sister of Marcus and Col. Levi Child, so well known for so many years in that vicinity. Howe was then forty years of age and his wife twenty-eight. They never had children. He was a member of the legislature from the town of Derby from 1813 to 1820, and chief judge of the Orleans county court from 1816 to 1824, and one of the assistant judges in 1827 and 1828, and he died November 19, 1828, being the last survivor of the three brothers. All the brothers were lawyers and all judges—William in Vermont, Estes in New York, and Samuel in Massachusetts. William was a man decidedly of the old school of men, and presided as judge with great dignity.

WILLIAM RICHARDSON.

THE subject of this biography, according to the best authority I can obtain, was the son of Israel Putnam and Susan Holmes Richardson, of Fairfax, Vt., and a brother of Gen. Israel Bush Richardson, who was a prominent officer during the war of the rebellion. Of his early life I have no information, but it is probable that he was educated in Franklin county, and I am informed he studied law with Joshua Sawyer at Hydepark, and was admitted to the bar of Orleans county August 21, 1815, and about 1817 commenced practice at Stowe. The Vermont Historical Magazine, in the history of Stowe, says of him: "Mr. Richardson opened an office and did some business, though not sufficient to afford him a good living. It is said that he occasionally worked out on farms, and assisted in clearing up land to supply what was needed to make

ends meet. Tradition has it that he was a man of moderate ability and limited legal learning, though he was accustomed to argue cases with considerable vigor and zeal. After remaining here about two years he married a daughter of Nathaniel Butts, one of the first settlers, by whom he had five or six children. The oldest, Charles T. Richardson, studied law a few months in this town, and then removed to Michigan, but never practiced. The next son, William Richardson, studied law, was admitted to the bar, and commenced practice in Waterbury, Vt., but lived only three or four years after his admission. He was a young man of good promise. Some time previous to 1826, Mr. Richardson left home on business to Burlington, Vt., and never returned. His family and friends never obtained any trace of him, except that he crossed Lake Champlain. That year cholera was very prevalent in the country, and it was conjectured by his friends that he might have fallen a prey to the disease and suddenly died, and was buried unknown and unpublished."

NATHANIEL READ JR.

THE subject of our sketch, the son of Nathaniel and Anna (Keyes) Read, was born at Warren, Winchester county, Mass., June 4, 1788. The first of his lineal ancestors who emigrated to this country was Elias Read, who came over from England about the year 1632 and settled in Woburn, Mass., where he resided until his death. His son, Thomas Read, moved to Sudbury, Mass., and there lived and died, and his descendants for several generations after him continued to reside at the same place. Capt. Nathaniel Read, of the fifth generation after Thomas, was born at Sudbury, October 6, 1702, and was the great-grandfather of our subject.

He is reported to have been a man noted for his sound judgment and uniform integrity, holding a wide influence among the people of his vicinity. His eldest son, Maj. Reuben Read, born November 2, 1730, was an officer during the war of the revolution, and after the capture of Burgoyne's army at Saratoga was detailed by Gen. Heath to take charge of the Hessian and British troops. Nathaniel Read, the father of our subject, was the third son of Mr. Reuben Read, and was born at Warren, April 4, 1762. At nineteen years of age he enlisted in the continental service as a private,

and was stationed at West Point at the time of Arnold's treason, and one of the men the arch traitor sold and sought to hand over to the enemy. After the war he was married to Anna Keyes, daughter of Col. Danforth Keyes, an active officer in the revolution, and in February, 1800, started with his wife and eight children for the wilds of Vermont, settling on what is now one of the finest interval farms in Lamoille county, in Cambridge. Here he lived and died, honored as one of the substantial men of the town, and here the early days of our subject were spent.

The Vermont Historical Magazine says of him: "In 1805 he commenced study with the Rev. Elijah Woolage, the first settled minister of Cambridge, kept school in the winter, and the following spring went to Burlington, and placed himself as an academican under the tuition of Dr. Sanders, then president of the University of Vermont. He entered the university in 1807, kept school winters, and graduated in 1811. After graduating he taught school most of the time until the fall of 1813, when he entered the service in the war between the United States and England, and received the appointment of quartermaster-sergeant and commissary.

The regiment was stationed near the line, and for a short time posted alternately at Plattsburgh, Cumberland Head, Chazy and Champlain. Instead of going into winter quarters it was discharged; and he kept school again the following winter. In September, 1814, he volunteered in the defense of Plattsburgh, received the appointment of quartermaster, was engaged with the Vermont troops in the battle of September 11, and received, under the act of congress, one hundred and sixty acres of land as a compensation for his services. The following winter he again kept school, and in the spring commenced the study of law in the office of Isaac Warner and Israel P. Richardson, then law partners at Cambridgeboro. In 1815 he studied for a while in the office of Judge Turner in St. Albans, and getting somewhat destitute of funds, went into the office of Joshua Sawyer, Esq., of Hydepark, and did office work for his board and tuition until admitted to the bar of Orleans county court, March 4, 1816, Hydepark then being in Orleans county.

He then opened an office at Cambridgeboro, and afterwards at the center. At this time there were but four or five buildings in the latter place, and the lands about to a considerable extent in a

wilderness state and unimproved. His practice was small, and for several years he devoted himself wholly to agricultural pursuits as the most congenial employment. Through his instrumentality a post-office was established at the Center, and he received the appointment of postmaster, which office he held about twenty years. He held the offices of justice of the peace and town grand juror for several years. His ambition never led him to seek office, or to enter upon any schemes or enterprise of speculation, but rather to be an honest man and faithful citizen."

SALMON NYE.

THE subject of this sketch was born in Springfield, Vt., May 12, 1792, the son of George and Lucretia (Dartt) Nye. His father moved from Springfield to Brownington, Vt., very early in the history of that town, and always took an active and influential part in its affairs. He is recorded as one of its selectmen as early as 1804. Judge Nye's early life, like most farmers' boys, was spent attending the district school summers and winters, and industriously putting in the balance of the time at work on the farm. He had an opportunity to attend the Springfield Academy a few terms before the family moved to Brownington. He then attended the Brownington Academy, completing what education he was able to obtain there. Subsequently he entered the office of William Baxter, the pioneer lawyer of Orleans county, for the study of the law, and was admitted to the bar of Orleans county, March 3, 1817. Up to about this time the most important points for law business had been at the half shire towns—Brownington and Craftsbury. But in 1812 the shire had been located at Irasburgh, and the August previous to his admission the court had been held there for the first time. Owing to the push and energy of Ira H. Allen, who lived here, owning much of the town, and who had been instrumental in having the shire located at this place, Irasburgh was fast becoming, for law business at least, the most important town in the county. Consequently young Nye decided to locate there, he being Irasburgh's first attorney. The wisdom of his course was soon apparent by the large amount of business that came to his office. He labored diligently and untiringly, and was ere long rewarded with a

lucrative and prosperous business. Judge Nye was sagacious and watchful of a client's interest; he was upright and honorable in his dealing, careful and conscientious as a counselor, and, as a judge, firm in his adherence to honest conviction. He was elected and served as judge of probate for the county of Orleans for the years 1825, 1826 and 1827. He was also town clerk for the town of Irasburgh from 1819 so long as he lived. He died at Irasburgh, June 27, 1828, at the very beginning of what promised a useful and honorable life, aged thirty-six years.

CHARLES MEIGS.

OF the subject of this sketch but little can be ascertained. We find from the genealogy of the Meigs family, in the possession of Dr. John Meigs of Stanstead, P. Q., that Charles was born in Connecticut about 1785. His father's name was Dr. Phineas Meigs, and he was born in Bethlehem, Conn., about 1760. This record gives the history of the Meigs family from 1638, the date of their landing at Weymouth, Mass. Nothing can be learned of the early life of our subject until he commenced the practice of the law at Morristown about 1817. He practiced law there until about 1828, when he removed to the West. Hon. Norman Boardman of Lyons, Iowa, for many years a prominent lawyer of this county, and who was born in Morristown, says of him: "Charles Meigs I remember well. When I was a small boy he resided at Morristown Four Corners, and he used to meet Joshua Sawyer at our place near Hydepark quite often in the trial of causes, and in fact Sawyer and Meigs were the only lawyers in the vicinity at that time. Meigs was a rapid and fluent talker, and had the reputation of being well read in the law, although not as great a lawyer as Sawyer."

GEORGE CARLTON WEST.

By E. A. STEWART.

GEORGE CARLTON WEST, the second son of Judge Presbury West, was born in St. Johnsbury, Vt., April 17, 1795. He received the best education that the academy afforded, and read law with Judge Ephraim Paddock of St. Johnsbury. Having been

admitted to the bar, he married Sophia Lord, a daughter of Judge Lord, and went to Norwich, Vt., to practice law. He remained there five years, till 1822, when he removed to Brownington, Vt., and formed a partnership with William Baxter, who had been for many years the only lawyer in that region. Their office was what was afterwards known as the "old yellow store," and stood just south of the present store building. It was fixed over later by F. D. Merrill into a dwelling and so occupied by him for several years, and then it was used as a milliner's shop. It was taken down about twenty years ago. Mr. Baxter had accumulated a large fortune for those times. Being among the first to settle as a lawyer in this region, he had a wide sweep of country. In those primitive times for this country, commercial transactions were on a small scale. But what they lacked in magnitude they made up in number. The credit system was more largely in vogue then than now. Merchants had two marks on their goods, one for cash and one for credit. It was expected that merchandise would be largely sold on credit, and from ten to twenty-five per cent more was charged as an equivalent to ready cash. At the end of the year the ledger disclosed many accounts still unbalanced, which inevitably found their way into the lawyer's hands for collection. Barter was much plentier than money, the facilities for getting to market, or turning the forests into the necessities of life, being very meager. Then, again, Brownington was not the dry place that it now appears to be. For various reasons it was a desirable place for a lawyer to settle in. Besides having a flourishing academy—a rare enterprise in those times—and the reputation of having been the half shire of the county for many years, it was really the commercial center for all the region round about. The village of Barton Landing was then an unknown quantity. Where the village of Newport now stands was a pine forest unbroken by a single clearing. The dwellers on Lake Memphremagog, as far down as where David Hammond lives, were accustomed to come up the lake and river in their row boats to Judge Parker's, and thence overland to Jasper Robinson's on the hill to "do their trading," and to the post-office, then kept by Esquire Stewart, for their mail, a distance of sixteen miles, and the journey requiring a whole day for its prosecution.

By his partnership with Mr. Baxter, Mr. West was at once initiated into quite a practice. He was a good speaker and a close rea-

soner, and soon acquired the reputation of being a man of excellent judgment and a shrewd practitioner. The nature of the practice then was not calculated to develop the profoundest legal skill. The credit system was responsible for the greater part of the lawyer's fees. It was no uncommon thing to see a sheriff with his pocket full of writs against those debtors who, by misfortune or shiftlessness, had failed to contribute sufficiently to their store-keeper's till to balance the ledger. This was the lawyer's legitimate work, but it did not tire the brain nor exhaust the mental powers like the more complicated and larger cases of a later date.

Mr. West's Brownington life must have been one of simplicity and enjoyment. With a placid disposition, and being withal a lover of nature, her quiet, social life, her natural beauty of scenery and her literary air, largely superinduced by a flourishing academy, all must have suited his taste, though it may be that larger business environments would have heightened this feeling. He spent much time and expense in making a home for himself, but just as he got ready to occupy it he moved to Irasburgh. It was the house on the hill afterwards occupied by Dr. J. F. Skinner, and in later years by Rev. S. R. Hall and his family. It was then the best house in town next to the Baxter mansion. Mr. West's children were very delicate in their earlier years, and his neighbors told him it was because he kept them in the house so much and away from the dirt. It is related that this became somewhat annoying to him, so that with the youngest child, Marietta, he took a different course, letting her run out of doors to her heart's content, and even helping her to dirt as she sat in the yard, saying that if there was "anything to the dirt theory she should have the benefit of it."

Mr. Baxter dying in 1826, Mr. West became administrator of his estate, a large one, and requiring a good business ability and integrity of purpose to secure to the heirs their honest dues. It is believed that Mr. West fulfilled these requirements to the letter.

In 1829, 1830 and 1832, Mr. West represented the town in the legislature, and during the years 1830 and 1831 he was the state's attorney for the county, that officer then being elected by the legislature instead of by a direct vote of the people as now. While he was in the legislature he was largely instrumental in getting a charter for a bank at Irasburgh, and on the organization of the bank in 1833, Mr. West became its first cashier, holding that position till

the year 1850. He then moved to Hartland, Vt., where he resided for twenty years. The first years of his residence there he was elected bank commissioner, serving the state two or three years in that position. Having acquired a competence, the remainder of his residence there was passed in the quietness and leisure of a rural life, with only the care that a few acres of land might impose upon him. On the death of his second wife, in 1870, Mr. West went to live with his daughter, Mrs. M. W. Wallace, at Suspension Bridge, N. Y., where he died in September, 1875, aged eighty years.

Mr. West had four children by his first wife—two boys and two girls. The boys died when quite young. Of the girls, Sophia sickened and died while teaching in the academy at Brownington. Marietta, the youngest, married a Mr. Wallace, and has lived at Suspension Bridge, N. Y., for years past.

DAVID GOULD.

DAVID GOULD was admitted to the bar of Orleans county August 17, 1818, and soon commenced practice at Hardwick, where he remained until about 1822, when he removed to Peacham, Vt., and was in practice there several years.

ELISHA H. STARKWEATHER.

THE subject of this sketch was born in Ludlow, Vt., and was the son of a Baptist clergyman. He settled in Derby as an attorney about 1821 or 1822, and in 1823 he formed a copartnership with David M. Camp, under the firm of Camp & Starkweather. This continued until 1826, when Mr. Starkweather removed to Irasburgh, and there engaged in the practice of the law. He represented Irasburgh in the legislature of the state for the years 1828, 1829, 1830 and 1831. Mr. Starkweather was elected state's attorney for the county in 1828, 1829, and also 1835, and was a member of the eighth council of censors. In 1834 and 1835 he was elected councilor for the county of Orleans. About 1834 or 1835 he moved to South Troy, where he was actively engaged in the practice of the law until about 1838, when he removed to Southern Illinois. He was subsequently elected a representative

to the legislature from that state. He was actively engaged in his profession and public affairs until his death. As a lawyer in Orleans county Mr. Starkweather stood high. He was a very good trial lawyer, being quick of perception, apt and ready, with a faculty of applying his knowledge when needed. Conscientious and painstaking, he prepared his cases well; his judgment was good, and he was always true to his clients. As a citizen Mr. Starkweather gained the reputation of being a high-minded and honorable gentleman, as is attested by the many high positions of trust occupied by him.

JOHN HAZEN KIMBALL.

By T. C. KIMBALL.

JOHN HAZEN KIMBALL, the oldest son of Hon. John Kimball, was born in Vershire, Vt., August 30, 1795. This family deserves more than a passing notice, they being among the foremost of the stanch and influential pioneers of Vermont. Deacon John Kimball, the grandfather of our subject, came early from Bradford, Mass., to Concord, N. H., where he was prominent in affairs of church and state. Judge John Kimball, the father of John Hazen, when but twenty-one years of age, in 1790 settled in Vershire, Vt., in the then almost unbroken wilderness. After keeping "bachelor's hall" a few months he secured a companion in his wilderness life in Miss Eunice White, to whom he was married December 6, 1792. In 1801 he moved to Barton, Vt., being one of the first settlers of the town, bringing with him his wife and four children, our subject then being six years of age.

John H. was brought up to work on his father's farm. He early evinced a great fondness for books, and made rapid progress in his studies. March 14, 1815, being then nineteen years old, he determined to have a liberal education, left his home, and walked in snow and snow-storms to Concord, N. H., his entire capital on leaving home being \$7.63, of which he spent \$2.34 in making the journey. He remained there, working on his grandfather Kimball's farm until December, when he entered Phillips Academy at Andover, Mass., where he fitted himself for Dartmouth College, graduating from that institution August, 1821. He paid his expenses in college by teaching school winters and working in the hay and har-



John H. Kimball

vest fields summers, thus turning his vacations to the best possible and needed purpose.

He studied law with Joshua Sawyer of Hydepark, and during that time was often sent to the outlying towns to try cases in justice courts, in which he had marked success, and received from Sawyer hearty commendation. He was admitted to the bar of Orleans county at the September term, 1824, and soon after located in Barton as attorney at law, which practice he continued until his death, February 21, 1858.

This biographical sketch would be incomplete without reference to his true-heartedness, ability, and merits as a lawyer and man. He had a high sense of honor, and was untiring in his devotion and zeal to his clients, always commanded the respect of the court, and made fast and life-long friends of the members of the bar. He had a large and lucrative practice, one of the best in Northern Vermont, being often retained in some of the most important cases in the state. The week before his death he was engaged in the management of a case in Windsor county. In 1843 and 1844 he held the office of state's attorney for the county of Orleans. A sound, safe counselor and able advocate, kind, courteous, yet firm and tenacious, he had the polish and culture of a scholar, his presence commanding, being six feet two inches in height, of straight and trim figure, and his habits unexceptional. He enjoyed having his friends around him, at his home and table; a Christian gentleman, not sectarian, but connected with the Congregational church, of which he was a liberal supporter. He gave all public and philanthropic measures his earnest and hearty support. He was to his family all the true father implies, and to the world a true man.

John Hazen Kimball was married October 17, 1827, to Harriet, daughter of Timothy Chamberlin of Danville, Vt., a woman every way worthy of her husband—a true helpmate. Four sons crowned their union—John, a graduate of Dartmouth, clergyman and editor, San Francisco, Cal.; Benjamin S., banker, Tower City, Dakota; Austin and Timothy C., merchants, New York City.

GEORGE M. MASON.

GEORGE M. MASON was born at Sturbridge, Mass., October 20, 1801, the son of Jacob and Abigail (Marcy) Mason. His parents moved to Craftsbury, Vt., prior to 1814, but George remained in Massachusetts, attending school at Southbridge and other places, among his mother's, the Marcy family, until he commenced the study of the law with Samuel A. Willard, Esq., of Morristown, Vt. He was admitted to the bar of Orleans county at its September term, A. D., 1824, and soon afterward opened an office for the practice of his profession at Westfield, Vt. He remained there one year, then removed to Craftsbury. In 1828 he removed to Morristown, where he practiced his profession a year, then went to Barton, where he remained about a year, when he moved to Maine, where he made it his home until 1867, when he removed to California, where he died, leaving a widow and one child living in Gilroy, Cal.

HARVEY BURTON.

THE subject of this sketch was born in Norwich, Vt., August 19, 1793. He was the son of Capt. Elisha and Sarah (Cogswell) Burton. The grandfather of our subject, Jacob Burton, came from Stonington (now Mystic), Conn., in the year 1763, and bought a section or sections of land where the village of Norwich now stands. The following year he brought his family to the then wilderness, he being the first settler. From this time forth he always took a leading and influential part in the affairs of the town; was a member of several of the first conventions of the New Hampshire grants during the year 1777. The father of Harvey was an active and prominent citizen in Norwich.

In 1785 he was instrumental in founding at Norwich the Windsor County Grammar School, where the subject of our sketch received the most of his education. In the war of 1812 young Burton enlisted, and served in Lieut. Joseph Mayo's company of New York militia. About 1823 he went to Brownington and entered the office of George C. West, Esq., an attorney who had moved from Norwich the year previous, and was admitted to the Orleans county bar at its September term, 1825, and immediately commenced the

practice of his profession at Norwich, where he remained in active practice until near the time of his death. In politics he was at first a whig, and later a republican, ever actively identifying himself with his party. In 1825 he was appointed aide to Gov. Van Ness. He served as senator from the county of Windsor for the years 1845 and 1847, and was postmaster at Norwich under several administrations. As a citizen Mr. Burton was unceasing in his endeavors to promote the religious and educational interests of the community, and ever ready in all good works. As a lawyer his forte was not as an advocate or pleader, but he had excellent judgment and a good knowledge of the law. He was an excellent man to prepare a case for trial in the higher courts, but made no pretensions of ability to there present it, nearly always being associated with some one who was able in that direction.

He was a most excellent collector, and had a great deal of that kind of business to do. He was never in the habit of picking up cases for the sake of his fees, and many a case I have known him to refuse and advise a settlement, rather than to urge on what he knew would result in prolonged and disastrous litigation, should he accept the man as his client. He was usually very fortunate in his cases, and mainly from this cause. He always had a large docket in justice courts, and tried his cases with marked ability, and while he was sharp enough in his practice to take advantage of his opponent's faults, still he was always regarded as an honest lawyer. He was twice married and had seven children, five of whom still survive. A long, useful, and honored life closed with his death, October 22, 1868.

LEWIS MARSH.

LEWIS MARSH, the son of William and Hannah (Nye) Marsh, was born in Montpelier, July 6, 1804. He attended the common schools and the Washington County Grammar School. He commenced the study of the law with J. Y. Vail of Montpelier, where he remained about two years, and completed his law studies with Hon. Nicholas Baylies, and was admitted to the bar of Washington county at the September term, 1826, and immediately went to Derby, Orleans county, and opened an office for the practice of his profession. He continued in active practice there for over eight

years until failing health compelled him to relinquish it, and he returned to his father's house in Montpelier, where, after a few weeks' illness, he died June 4, 1835. Although Mr. Marsh's connection with the bar was comparatively brief, yet it was long enough for him to establish a very excellent reputation as a lawyer. His briefs in some of the earlier Vermont reports show a highly cultured legal mind, and indicate a brilliant future had he been spared. His practice in his profession was among the ablest talent of the state. The late Chief Justice Isaac F. Redfield while at the bar was his neighbor and competitor, and it is said of them that they were well matched in their profession. This certainly would seem to be fame enough for the young lawyer. He had to contend, also, with such men as Leslie and Starkweather of the Orleans county bar, who stood high in their profession. While establishing himself in his profession, Mr. Marsh also established himself among his constituency as a gentleman of the highest honor and integrity, and has long been remembered among the people of Orleans county as one of its most worthy citizens.

JAMES AUGUSTUS PADDOCK.

THE subject of this biography was born at Craftsbury, April 18, 1798, the son of Dr. James Paddock, Craftsbury's first physician. The mother of our subject was Augusta Crafts, the daughter of Col. Eben Crafts, from whom the town of Craftsbury was named, and the sister of Hon. Samuel C. Crafts, one of the ablest and best men which the state has ever had in its public service. Judge Paddock received his primary education at the district school of his native village and Peacham Academy, which in those days ranked among the highest of its kind in the state. He entered the University of Vermont at Burlington and graduated therefrom in 1825, and at once commenced the study of the law with Hon. Augustus Young of Craftsbury, and was admitted to the bar of Orleans county at the August term, 1827, and immediately opened an office at Craftsbury for the practice of his profession. Young Paddock did not have to wait long for business. His reputation for reliability and faithfulness was established even before he was admitted to the bar, and he soon found himself with a large and

lucrative practice. But the great labor and close application necessary to successfully carry on a large legal business soon begun to tell upon his health, and he was soon impressed with the fact if he desired to live to the usual age of man he must, in the main, relinquish his chosen profession. It was hard for him to do this, as everything up to this time gave forth great promise for the future success of his life, but he well knew that to be a great lawyer required constant study and hard work.

From this time forth he sought no professional work, doing only such legal work as his old clients urged upon him, occupying himself with agricultural and other pursuits conducive to health. In 1847 he was elected assistant judge of the county court, and re-elected in 1848. In 1854 he was elected judge of probate for the county of Orleans, an office which he held but one year, as at the next election the opposite party politically were victorious.

Judge Paddock was married in 1827 to Mary C. Phelps, by whom he had four children. Judge Paddock deceased in April, 1867, and at a meeting of the county bar held July 9, 1867, appropriate resolutions were adopted, and John H. Prentiss, Esq., delivered an address, from which we quote the following :

“Within the years of his waning professional life he was an assistant judge of the Orleans county court, and by means of his legal attainments and his sound and judicial mind and judgment, he confessedly and materially aided the court in the performance of its important duties.

Subsequently he was chosen judge of probate for Orleans county, a position for which he was pre-eminently fitted by his legal acquirements, his sound judgment, his wisdom and prudence, his unprejudicial mind, his exalted reverence for justice, his knowledge of mankind, and his sympathy for the widow and the orphaned. For this place he so nearly seemed by his virtues to have been ordained, that it is no disparagement to others to say, that had the people been less subject to the imperious exactions of party, and as true to the state and faithful to themselves as he was true to the state and faithful to them, he would have adorned that position while his life remained.

In his individuality as a man, he was of pure integrity, gifted with a nice punctilious sense of honor. He earned and could have had as unanimously in Craftsbury, as Aristides earned and had in

Athens, the surname of *The Just*. As a Christian man he was exemplary and sincere, as a citizen patriotic and true, as a judge upright and just, as a lawyer courteous, discreet and wise, and in all his outward life and manifestations he clearly demonstrated that all the paramount ends he aimed at were his God's, his country's and truth's.

But it is of his character as a lawyer that it may seem most appropriate here and now to speak; and concerning him in that relation it may be truly said that he did no falsehood, neither did he consent that any be done in court. He did not wittingly, willingly or knowingly promote, sue, or procure to be sued, any false or unlawful suit, neither gave he aid or consent to the same. He delayed no man for lucre or malice, but acted to his office of attorney within the court according to his best learning and discretion, and with all good fidelity as well to the court as to his clients."

ISAAC F. REDFIELD.

By HON. E. J. PHELPS—1877.

ISAAC F. REDFIELD was born in Weathersfield, Vt., on the 10th day of April, 1804, the eldest of a family of twelve children. His father, Dr. Peleg Redfield, removed to Coventry, in Orleans county, in 1808, where he spent most of his life, a prominent physician and much respected citizen, and died in 1848 at the age of seventy-two. Judge Redfield graduated with high honors at Dartmouth College in 1825, entered immediately upon the study of the law, and was admitted to the bar in Orleans county in 1827. He rose rapidly in his profession and in public estimation, and held from 1832 to 1835 the office of state's attorney for that county. In February, 1834, on motion of Daniel Webster, he was admitted to the bar of the supreme court of the United States, Chief Justice Marshall presiding.

At the October session of the legislature of Vermont in 1835, he was elected a justice of the supreme court. He was then only thirty-one years of age, the youngest man that has ever attained that office in the state. His election was entirely unexpected to himself, especially as his political opinions were not in accordance with those of the majority of the legislature, and it afforded a very

marked proof of the personal and professional reputation he had acquired.

His associates on the bench at the time he took his seat were Charles K. Williams, Chief Justice Stephen Royce, Samuel S. Phelps and Jacob Collamer. It is not too much to say that the court thus formed has never been surpassed in this country.

Judge Redfield accepted the appointment with much hesitation and distrust of his own powers, but had very soon the satisfaction of knowing that he was regarded by the bar as the fit associate of his distinguished compeers. For twenty-four successive years after his first election (the judges being then annually elected in Vermont), he was unanimously re-elected by the legislature, though a large majority of that body were during all that time opposed to him in political sentiment. Judge Williams, in 1846, and Judge Royce, in 1852, successively retired from the chief justiceship, full of years and honors. Judges Phelps and Collamer had meanwhile passed from the bench to the United States Senate, the former in 1838, the latter in 1842. Judge Redfield succeeded Judge Royce as chief justice, and was eight times unanimously elected to that office. These facts are far more significant to show the estimation in which he was held by the bar and the people of Vermont than any comment that can now be made. His term of office was longer than that of any judge who ever sat upon the bench in the state, though exceeding by only two months that of Judge Royce.

Judge Redfield's judicial opinions, so far as reported, are contained in the Vermont Reports from vol. 8 to vol. 33, extending through the best period of his life. They form the enduring monument by which he will be judged among lawyers when all the generations of those who knew him shall have followed him to the grave. They exhibit the judicial cast of his mind, the vigor of his reasoning powers, the extent and accuracy of his learning, his unwearied industry, his clear, strong, conscientious sense of justice, the breadth of his views, the elevation of his sentiments. They show in some measure the field of his exertions, and the usefulness of his long service in the administration of justice. Of all his writings, they are the most significant of the character and mental structure of the man, because they are not the mere discussion of theoretical principles, or the enunciation of abstract conclusions, but contain that practical application of legal truth to the affairs of

life and the course of justice, in the success of which the law and the judge find their true test and their only substantial value. "What good came of it at last?" is the question that mankind will ultimately apply to the finest of learning and the most exhaustive disquisitions.

It is upon this final and best criterion, the justice which they wrought in the cases to which they were addressed, and the wholesomeness of the general system of law which they helped to build up, that these recorded labors of Judge Redfield and his associates, during a quarter of a century, may be safely left to the consideration of posterity.

Judge Redfield's opinions were perhaps more distinguished in the departments of equity, commercial and railway law. It would be interesting to advert to some of the more important of them, and to trace their influence in the deliberations and conclusions of other courts.

But the limits of this brief sketch do not admit. Two or three general characteristics are all that can be mentioned. There are lawyers who, strong in principles and vigorous in deductive reasoning, too little regard the light and the learning afforded by the labors of others. There are those on the other hand who know little but cases, and can be brought to almost any conclusion that seems to be sustained by what is called authority, by whom the reported decision of a court can never be answered, except by the counter decision of some other court. Between these two classes of lawyers, Judge Redfield occupied very fortunately a middle ground. A diligent student at all times, thoroughly acquainted with the course of English and American decisions, drawing largely upon their reasoning, and in no respect undervaluing their authority, established principles, and a strong sense of justice and of right were after all the controlling element in bringing him to results.

He was never brought "by learned reasons to absurd degrees." Technicalities were not allowed to subvert justice, when by any fair means they could be surmounted or escaped. He regarded the general field and current of decision rather than those isolated cases always to be found, which constitute the *ignes fatui* of the law, and serve to lead weak minds astray. He followed authority, but he questioned the validity of that authority which controverted sound principles, or conducted to unsatisfactory judgments. His

views of the law were always elevated. He did not look upon it as an aggregation of arbitrary rules and disconnected machinery, but as a broad, fair, and noble science, that ought to pervade with a salutary and wholesome influence all the affairs of human life; as not merely the protector of private right, but equally the conservator of public liberty. Neither his reading nor his thought was circumscribed by the narrow channel of the subjects actually in controversy before him. He made himself familiar with the higher branches of jurisprudence, its constitutional foundations, its history, its philosophy, its morality, its literature, its connection with the frame-work of society and of government. He became not only a lawyer, but a jurist, in the true sense of the term. Such studies enriched his opinions with a many-sided scholarship, and gave them an elevated and dignified sentiment. They rest when important questions are to be considered upon broader and higher grounds than mere technical rules or arbitrary precedents.

Judge Redfield contributed largely in the course of his judicial service, towards that gradual infusion of equity principles into the rules of the common law that has marked its recent progress, and has brought the two systems so much nearer together than formerly. Many of his opinions could be cited as illustrations of this. Striving always to make the standard of legal judgment as nearly as possible that of sound morality and substantial justice, and strongly predisposed towards the views of courts of equity, he was a persistent advocate, often somewhat in advance of the current of decision, of a liberal adoption of those views in determining the questions and administering the remedies of courts of law. The railway system in America had its origin and grew up while Judge Redfield was upon the bench, and opened a new and wide range of questions and controversies for judicial decision. It is not often that an original field of inquiry is presented to courts of justice. They have mainly to travel in beaten paths, and originality in the law proves usually a very questionable virtue. What the commercial law was to Mansfield, and the constitution of the United States to Marshall, railway law became in a lesser degree to Redfield and his associates. Happily they were found equal to the occasion. It happened that very many of the important questions on all the branches of this subject came before the supreme court of Vermont before they had been decided elsewhere. Their decisions on these

questions form, when taken together, a body of railway law that is very nearly complete, and may be referred to with a just pride by the bench and bar of the state.

They have been largely followed elsewhere, and remain almost entirely unassailed in the determinations of other courts. In these decisions Judge Redfield took a leading part, and devoted much labor. He had the advantage of able assistance, and usually a fortunate concurrence of opinion on the part of his associates. The attention he was thus compelled to give to the subject, and the interest it awakened in his mind, led to the preparation of his treatise on the Law of Railways, which he published in 1857. It met the immediate demand of the time, and speedily attained a very wide circulation. Its admirable clearness and precision of statement, the convenience of its arrangement, the soundness and practical value of its conclusions, and the fullness of its citations, made it what it is likely to remain—the acknowledged and standard text book on the subject. Five editions of the work have been published. It has come not only into universal use in this country, but is referred to with frequent approbation by the bench and bar in England. The success of this book, and the growing attention his judicial opinions had attracted, especially after he became chief justice, gave Judge Redfield a national reputation. Though his court was that of a small and rural state, its decisions came to be widely known and much respected in other tribunals. But the printed records of his labors as a judge and an author can exhibit nothing of those qualities of the man which enter so largely into the real usefulness of a magistrate. His unfailing courtesy and kindness, his amiable temper, his unquestioned and unquestionable purity of character, his patience in hearing, the unassuming dignity and quiet decorum with which he invested the proceedings of his court, the practical sense and sagacity with which he encountered questions of fact, these are qualities which will be always remembered by those who appeared before him, but of which the memory must die when the witnesses are gone. He presided at *nisi prius* with great tact and acceptance. Under his guidance juries seldom went astray. And the most disappointed suitor carried away a kindly respect for the judge. No man was ever more capable of appreciating and profiting by a good argument, or was more candidly open to its influence.

In 1860, when the great sectional controversy that culminated in the civil war was drawing near its height, Judge Redfield clearly perceived that his opinions on exciting constitutional questions were likely to become unpopular and distasteful. In no sense a politician, but a student, a scholar, and a lawyer all the days of his life, his sentiments were naturally conservative, and not likely to be changed. Too conscientious and independent either to conceal his opinions or to trim them to suit the breeze, he was at the same time too sensitive in his nature, and too retiring in his habits, to be willing to do battle against the apprehended pressure of popular feeling, or the threatened clamor of political excitement.

He resolved, therefore, to withdraw from the bench and from public life. In this resolution he was doubtless unduly sensitive. His views upon these questions were those of the best constitutional lawyers of the country, and were ably and courageously maintained by some of its greatest judges. Though overborne for a while by the storm, they have all been ultimately sustained by the highest tribunal, and will always remain the established law of the land. There can be no doubt that the expression, temperate though firm, that he would have given to his opinions when occasions arose, though left in the minority for the time, would in the end have added to his reputation, and would have commanded the admiration of those, many who had the judgment secretly to approve, but not the courage openly to avow them. Undoubtedly, notwithstanding these views, he would have been retained upon the bench by unanimous consent, so long as he chose to remain there.

Other reasons, however, had weight in inducing him to retire. He had been withdrawn so early by judicial promotion from the practice of his profession, that he had acquired but a slender estate, which the very moderate salary of his office had not enabled him to increase. Liberal offers had been made him to become the editor of an edition of Judge Story's works. He desired, also, to publish a new edition of his own work on railways, and also certain other legal treatises which he had in contemplation. This employment, and a residence in Boston, promised an agreeable change from the labors of the bench, and offered very desirable pecuniary inducements.

He presided in the supreme court for the last time at the general term of the whole court, held at Montpelier in November, 1860.

The last opinion he delivered from the bench was in the case of *Hart vs, the Farmers' and Mechanics' Bank*, reported in the 33d volume of Vermont Reports. On the occasion of his retirement, the bar of the state adopted a series of very cordial and complimentary resolutions, which were presented in open court by Hon. L. B. Peck in their behalf. A very appropriate response was made by Judge Redfield. The proceedings will be found in the 36th volume of Vermont Reports, page 662. His withdrawal from the bench occasioned sincere and general regret.

He removed to Boston in 1861, immediately after his retirement, and there resided until his death. During that period his industry was unremitting. Besides successive editions of his work upon Railway Law, now extended with the growth of the law and the increase of decisions on that subject to two volumes, he wrote and published a full and excellent treatise on the Law of Wills, in three volumes, and another on Carriers and Bailments, in one volume. These have become standard works. He published, also, a very useful and well edited collection of American Railway Cases, in two volumes, and one of Leading American Cases on Wills, in one volume. He edited an edition of Judge Story's work on Equity Jurisprudence, Equity Pleading, and on the Conflict of Laws, and of Prof. Greenleaf's work on the Law of Evidence.

It is acknowledged on all hands that the work of bringing up these treatises to the advance that had taken place since they were written, in these important branches of the law, was performed in a manner every way worthy their high character and their distinguished authors. Judge Redfield wrote also many of the leading articles in a new edition of Bouvier's Law Dictionary. For more than twelve years of his residence in Boston, he was one of the editors of the American Law Register, and contributed largely to its leading articles as well as to its notes on decisions of importance and interest, and its miscellaneous matter. During all this time he was also considerably engaged in giving opinions, some of which were published, in cases submitted to him.

Large as his professional work during this period of his life was, he yet found time for valuable contributions upon those constitutional questions which connect the principles of jurisprudence with those of political government. During the war he wrote for the London Law Review an extended and very able article, which was

republished in this country, vindicating the nationality of the United States government, and also a letter to Senator Foote, which was published in pamphlet form, on the powers of the national government, and its duties in the matter of the restoration of the seceding states, after the termination of the war.

He wrote and published various other articles on kindred topics. Judge Redfield was, during a large portion of his life, a member of the Episcopal Church, and deeply interested in its prosperity. He was a frequent and interesting contributor, both while on the bench and afterwards, to the Churchman and other church journals. He was a delegate to the general convention of the church at all its sessions from 1837 to 1861. In the deliberations of that dignified body, especially on questions that touched the subject of jurisprudence, he had great influence. He spoke but rarely and never at much length, but at times with decisive effect. At the close of the civil war a considerable amount of confederate property remained in Europe, principally in England, consisting of cargoes of cotton, money balances, ships, munitions of war, etc. To this property the United States government laid claim, and numerous suits in the English courts of chancery resulted. Most of it was subject to various and complicated claims by creditors, consignees, agents and others, and the title to much of it was in dispute. The pendency and conduct of these various proceedings became very embarrassing to Mr. Adams, the American Minister to Great Britain, and it was necessary that competent counsel should be sent to Europe to take charge of and direct them. Judge Redfield was appointed by Mr. Seward, then secretary of state, in conjunction with Mr. Caleb Cushing, the special counsel of the United States government for this purpose. He went to England immediately after his appointment, and remained there in the discharge of the duty assigned him for two years, returning home once during the period for consultation with the government.

The business with which Judge Redfield was charged was not only important, but delicate and difficult in its bearing upon the relations of the two countries. There was much sensitiveness of feeling at that time between the people of England and of America, growing out of the events of the war, and the attitude taken by Great Britain. The American claims against Great Britain for the heavy losses sustained by privateers fitted out in England were

then unadjusted. And it is easy to see how in rash or unskillful hands, the claims of the United States government upon citizens of England, litigated in British courts, might at that juncture have been made productive of serious misunderstandings and disputes. The manner in which Judge Redfield and his associate discharged this difficult duty, the ability, and at the same time the courtesy, tact, and moderation displayed, were worthy of all praise, and were in a high degree serviceable and creditable to the government by which they were employed. All the success was attained which the nature of the claims admitted of. Throughout their prosecutions nothing took place to disturb the relations of the governments, or to give rise to any aggrieved feeling on the part of the people on either side, or of the parties more immediately interested. Some of the claims were compromised, and all brought to a satisfactory conclusion.

The circumstances of Judge Redfield's stay in England were peculiarly gratifying to him. His reputation as a jurist had preceded him, and the mission with which he was accredited brought him into communication with many persons of distinction. He received much cordial hospitality, especially from judges and eminent lawyers, and from some of the dignitaries of the English church. In such circles his conservative views, refined manners, and cultured conversation, made him personally very acceptable, and placed him in marked contrast with those Americans whom ostentatious wealth had made conspicuous in European capitals, or whom the machinery of party politics has introduced into a social position in foreign countries, which they had never reached at home. He contracted many friendships in England that were maintained through the remainder of his life.

On his return from England he resumed his residence in Boston and the employments he had relinquished on his departure. From that time to the close of his life, he still kept at work. In the labors and studies that had so long been congenial, he found relief and consolation through gathering years and declining health. Various leading articles for the *Law Register* were written during this period, among them a review of the *Legal Tender* cases, an article on "The right and duty of congress to regulate commerce on interstate railways," another on the "Duties of the legal profession." The last edition of his work on *Railways* was also published

during this time. And so, in the cherished pursuits, continued to the last, of the jurisprudence to which he had devoted his life, and which he had done so much to cultivate and to dignify; in the esteem and affection of its disciples, by whom he was surrounded; in the communion and fellowship of the church he loved, he drew to the close of his life without an enemy in the world. He realized the archangel's benison

"Till many years over thy head return
So may'st thou live; till like ripe fruit thou drop
Into my mother's lap; or be with ease
Gathered, not harshly plucked, for death mature."

He died in Charlestown, Mass., of an attack of pneumonia, on the 23d day of March, 1876, near the completion of his seventy-second year, and was buried at Windsor, Vt.

Judge Redfield was twice married—first, to Miss Mary Smith of Stanstead, Canada; afterward, to Miss Catherine Clarke of St. Johnsbury, who survives him. A son also survives him, and a daughter died only six months previous to his own decease. A brother, Hon. Timothy P. Redfield, is one of the justices of the supreme court of Vermont.

NATHAN S. HILL.

NATHAN S. HILL was born July 30, 1803, the seventh child of Caleb and Cynthia (Strong) Hill. His father was a native of Rhode Island, and in 1802 purchased a considerable tract of forest land on Isle La Motte, and in April, 1803, moved his family upon it, and commenced in earnest to carve out for them a home. No event of note transpired until the breaking out of the war of 1812, when he enlisted, and was killed August 16, 1814, leaving a widow and twelve children. Thus at this early age was young Hill called upon to breast the current of life for himself, if he would succeed. He attended the school, such as it was, of his native island, and subsequently pursued the study of the classics and higher English branches at the academy at St. Albans. He commenced to read law in the office of Judge Bates Turner at St. Albans, and during that time attended his full course of law lectures. He then entered the office of Aldis & Davis, where he remained two years, and was admitted to the bar of Franklin county

at its September term, 1828. Soon afterwards he opened an office in South Hero, where he remained two years. He then removed to Craftsbury in Orleans county, and in January, 1831, entered into partnership with Hon. Augustus Young, who had been in practice at this place then several years. This partnership continued three years. While with Mr. Young and subsequently, Mr. Hill was very successful. He was always a careful and diligent student, and under all circumstances faithful alike to his profession and his clients. He was elected state's attorney in 1845, and re-elected in 1846. At the annual meeting of the Vermont University at Burlington in August, 1855, Mr. Hill was elected treasurer of the university, and soon after moved to Burlington, where he, in the succeeding twenty-six years, devoted himself to the duties of that office, and he had the satisfaction of seeing, during this time, the university freed from its large indebtedness, and its annual income nearly quadrupled.

MIRON LESLIE.

By HON. C. B. LESLIE.

MIRON LESLIE was a native of Bradford, Vt., born on the 22d day of September, A. D. 1806. His ancestors were of Scotch Irish descent, coming from Londonderry, Ireland, to Westfield, now Londonderry, N. H. His parents were not wealthy but were industrious and frugal, but were not able to give their sons a collegiate education, and this son's education was what he obtained from common schools and the Bradford Academy, and at a private school of Rev. Alex. Milligan, a Scotch Presbyterian minister then settled at Ryegate, Vt.

Mr. Milligan was a very learned man, and taught a class of a few young men who could not command the means necessary to receive a college course.

The parents of the subject of this sketch died when he was a mere boy—the youngest of a family of five sons and five daughters, who were left to make their way through life in the best manner they could. Mr. Leslie studied law with Peter Burbank at Wells River village, in the town of Newbury, Vt., and was admitted to the bar at the December term of Orange county court, A. D. 1828, and at the age of about twenty-four went to Derby Line, Vt., and

began the practice of his profession. He did not have to wait long for business to come to him, and his practice increased from year to year. He ranked high as a lawyer and advocate, and he became to be so favorably known as a good and thorough lawyer that he was tendered an honorable office at the capital of the state, but which he declined. While at Derby Line he married Miss Catherine Gillett, who with his daughter, an only child, still at this writing survives him, residing at St. Paul, Minn. He practiced at Derby Line for about five years, or until the spring of 1835, when he, like a good many young men of talent and ambition, felt disposed to seek his fortune in the great West, a country that would afford and give him a wider and more extended field for the display of his talents, and where he could acquire distinction in his profession. In 1834, after the June term of the Orleans county court, he took into partnership E. G. Johnson, a student of his who had been admitted at that term, and who remained his partner and who bought his business in 1835, when he left Vermont and went West, and located at Jacksonville in the state of Illinois. At Jacksonville he soon acquired the reputation of being a sound lawyer, a man of good judgment and a safe counsellor, and in time he became distinguished at the bar and well known throughout the state. He made many friends and acquaintances, who were attached to him not only for his soundness as a lawyer, but also for his honesty, intelligence, and excellent social qualities, which sometimes gushed out in the richest humor and the most sparkling wit. He was frequently, while at Jacksonville, solicited and urged to become a candidate for congress, but he declined, preferring the practice of his profession. The governor of the state of Illinois made out and offered him a commission as a judge of the circuit court of that state, but which he declined, having made arrangements to leave the state and go to St. Louis, Mo. While in Illinois he indulged in land speculation to a considerable extent and was quite wealthy, but the reverses of 1837, '38 and '39 fell heavily upon him, and he lost the most of his property. Feeling indisposed to stay where there was so much to daily remind him of his reverses, and also desiring to go into a still broader field, in the fall of 1839 he went to St. Louis and entered upon the practice of his profession there, and soon acquired and enjoyed a wide-spread reputation as a lawyer. He was a brilliant advocate and was engaged

in a very large number of important causes, and his talents as a lawyer and advocate were of such high order that he was accustomed to command and receive large fees for his services. While living in St. Louis he held many offices of trust and honor. In 1847 he was elected state senator and again in 1849, the office being for two years each term.

He was in partnership while in St. Louis with Roswell M. Field, under the firm name of Leslie & Field. Mr. Field was also a Vermonter. He died at St. Louis on the first day of August, 1854, in active practice, having for partners at that time J. L. and R. T. Barrett, and being in the prime of life, leaving an honorable record in his profession, and as a man, husband and father.

SAMUEL SUMNER.

By FRANK L. ROGERS, ESQ.

SAMUEL SUMNER was born at St. Albans, Vt., December 11, 1801. His father, Rev. Samuel Sumner, after graduating at Dartmouth College and the seminary, had married Anna Taylor of Southboro, Mass., and settled at St. Albans as pastor of the Congregational church. As Northern Vermont afforded few educational facilities at that time, young Sumner went to Massachusetts in pursuit of instruction at the instance, no doubt, of his grandfather, Rev. Joseph Sumner, D. D., then pastor of the Congregational church at Shrewsbury. He fitted for college at Leicester Academy, and entered Harvard University in 1822. After being connected with Harvard two years he went South, and remained two years teaching, chiefly at Nottingham, Md. In 1826 he returned to St. Albans, Vt., and begun the study of the law with Hon. Stephen Royce. He was admitted to the Franklin county bar in September, 1828, and soon after opened a law office at Coventry, Vt. The law business in that town not fulfilling his expectations, he removed to North Troy in 1830, and a few months later to South Troy. There he practiced his profession until 1861.

In 1830 he was married to Fanny Child, daughter of Thomas Child of Bakersfield, Vt. He was for several years agent of the Boston and Troy Iron Company, and was elected state's attorney in 1838, and again in 1840 and 1841.

In 1861 he removed to Hydepark, and never afterwards engaged actively in the practice of the law, although in a few years again returning to Troy.

He died August 5, 1879, in his seventy-eighth year, at the home of his daughter, Mrs. V. D. Fitch, in Hydepark. Mrs. Sumner died eight years before him. Of their seven children two died in childhood. Lydia Ann married Dr. G. S. Rogers of Troy, Henry engaged in farming in Troy, Adams G. engaged in business successfully in New York City, and Samuel J. was killed in the war of the rebellion at Savage Station, Va., while acting captain of Co. D. 5th Regt. Vt. Vols.

Elizabeth married V. D. Fitch of Hydepark. The early training and natural tastes of Samuel Sumner formed him for the pursuits of the student, and accordingly it was in the department of counselor that he best succeeded in his profession. In addition to his professional studies he devoted much attention to general literature. He wrote a history of the Missisco Valley, which has been largely incorporated in Miss Hemenway's Gazetteer, and also occasionally contributed articles to various periodicals.

At an early period of his residence at Troy he united with the Congregational church, and during his entire life the integrity of his character was above suspicion.

SAMUEL A. WILLARD.

By HON. LUKE P. POLAND.

SAMUEL A. WILLARD, son of Solomon and Mary Willard, was born in Winchester, N. H., July 14, 1788. His mother was a sister of Gen. William Cahoon of Lyndon, Vt. William Cahoon was lieutenant-governor and a member of congress from Vermont, and quite an important man in Caledonia county in his day. Samuel commenced his business life as a merchant at Lyndon, and for some years he was thought to be doing a flourishing business, but bye and bye there came a crash, and it ended in a very disastrous failure. My subsequent intimate acquaintance with him showed me that he never could have been a merchant with any other result. He was careless of money, and he could never refuse credit to any man who made the slightest pretence to being able to

pay. But his creditors were uncharitable, and that was the day of imprisonment for debt, and he was thrust into jail at Danville. I have been told by some aged person, who was present at court, that he remembered his coming from the jail to take his seat upon the bench. He having been elected assistant judge of the county court in 1824 and re-elected in 1825, soon after this he commenced the study of the law with Isaac Fletcher, Esq., of Lyndon, and was admitted to the Caledonia county bar in 1828, and commenced practice at Morrisville. That region was then pretty litigious, and there was a great deal of litigation in regard to lands, questions of tax titles, adverse possession, disputed lines, etc.

Judge Willard made this department of the law a specialty, and he became a learned lawyer in real estate law. I entered his office in the spring of 1834, and was admitted to the bar December, 1836, and at once became Judge Willard's partner, and we continued together for three years.

He was not a very good trial lawyer. If any new feature turned up in his case he was thrown off his balance and could not recover. He lacked ready perception and fertility in adapting himself to any emergency at once. But he was really a lawyer of very considerable learning, and quite the best lawyer I ever knew for a man who came to the bar so late in life, and under the adverse circumstances surrounding him; it was greatly to his credit.

He was judge of probate for the district of Lamoille four years—1838, 1840, 1841 and 1843. In 1847 he removed to Barton Landing. He was state's attorney for the county of Orleans in 1853, member of the constitutional convention in 1857, and represented the town of Barton in 1861. He married, July 24, 1823, Lucy P. Smith of Lyndon. They had no children. He died September 14, 1864.

JESSE COOPER.

By REV. LEWIS BODWELL.

THE subject of our sketch, son of Jesse and Sarah (Beach) Cooper, was born in Eaton, Province of Quebec, January 1, 1803. During his infancy his parents removed to Canaan, Vt., where he remained till he became of age, doing the usual work of a farmer's son, and there developed the physical vigor and acquired



Assu Cooper

the practical views which stood him in so good stead during all his after course. Faithful in diligent attention to present duties, but with tastes drawing him toward another calling, he made the utmost possible use of every educational privilege within his reach. On attaining his majority he spent a few terms at the academy in Guildhall, Vt., and having decided to prepare for the practice of law, he was received into the office of Isaac Fletcher, then one of the most prominent lawyers in his state, and residing at Lyndon. After five years here, during which he applied himself to his work with his usual zeal and patience, and established a reputation for clear judgment and sound reasoning, in 1830 he opened an office in Irasburgh, Orleans county. There for thirty years pursuing faithfully the duties of his profession, he achieved an enviable reputation, a wide practice, and comparative affluence. Among his associates of this period, and living in the same village, were Timothy P. Redfield, afterward one of the justices of Vermont, and Stoddard B. Colby, of Derby, most widely known by his connection with the United States treasury department. During the days of their professional connection, Mr. Cooper was, with them, well known both in Vermont and New Hampshire; and in the northern part of these states there was rarely a trial of an important legal case with which he was not connected.

After these thirty years, the removal of his partner and son-in-law, D. A. Bartlett, and the hope of maintaining his own health led him to seek a new home in Kansas; and at Wyandotte he opened an office and began a practice which he carried on successfully, till in 1870 he decided to retire from the active duties of a profession which he had then followed for forty years. The remaining years of his life were spent in closing the business still on hand, in his usual active participation in public enterprises of a religious and educational nature, in the work of the Congregational church, the local and state associations, the Kansas Home Missionary Society, and as a trustee of Washburn College at Topeka, and a director of the Freedmen's University at Quindaro. To one of his active temperament these were counted among his pleasures, and not as at all interfering with the well-earned quiet at the close of a long and busy life.

On Saturday evening, July 13, 1872, after an unusually laborious week, and when about to retire, he fell to the floor unconscious,

revived after a few minutes, but remained very feeble, steadily declining till the evening of the 21st, when he passed away.

At a meeting of the bar of Wyandotte county held on the 22d, among other usual and appropriate resolutions set forth—"Their professional appreciation of the private worth and professional merits of Mr. Cooper; the loss sustained by the bar in his death; of his untiring labors, large comprehension, and unswerving integrity;" and one of the members, himself a native of Vermont, was appointed to prepare for publication a biographical sketch, of which the above is an extract, and in which the writer also says of Mr. Cooper: "His clear analysis of legal cases, and his power to seize at once on their salient points, show the depth and soundness of his intellect. The determination with which he commenced the study of law was seconded by the persistency with which he adhered to its practice. He considered the bar as meant for those who would devote their lives to assisting the courts in administering, and suitors in obtaining justice. He loved no other pursuit so well; and his career was a protest against the dangerous tendency there is to use the profession of the law as a means to attain something foreign to it. He chose his profession, and then did what he could to preserve it from those influences which contaminate it."

Believing firmly that all good law is from God, and given "that we may lead a quiet and peaceable life," he sought to honor his profession by making it minister to this rather than his profits only. Thus, when in the progress of a long and bitter controversy between two prominent citizens, one came to employ him to commence a suit at law, the disgrace and public injury of such proceedings between two neighbors and Christian men were so plainly set before the client, with such an urgent appeal for a quiet settlement, as ended the case at once. Few who knew Mr. Cooper would deny the belief that he would gladly forego the honor and profits of a successful suit if he might instead hope to share His approval who had said, "Blessed are the peace-makers."

As a Christian his convictions matured in manhood; his doctrinal views being of a strongly orthodox character, were in important features the opposite of those of his early training; and his public profession of religion was made near the beginning of his legal career. His piety was of the Puritan type, strict, strong, reliable; never emotional, but ruled by the one idea of duty; yet none who

knew his faithful attendance upon the services of the church, his enjoyment of her ordinances, his liberal support of her institutions, and his warm regard for all Christian people, could doubt the presence of a love which was never bounded by the lines of any denomination, even the one he most loyally adhered to. His firm Christian principle leading him to love men, made him an early and life-long supporter of the great reform measures which seemed to him needful steps in the great effort "to make men free." And thus before the day of the republican, or even of the free soil party, he was one of the forty-three men who constituted the old liberty party of Vermont.

At the same early day he also became an adherent and advocate of total abstinence views, and an incident in that connection shows most clearly his desire for consistency of practice with precept, in himself as well as in others, and his judicial readiness to hear and ability to decide, against himself as well as against them. Speaking by appointment at Lyndon on the temperance question, and advancing his teetotal views in his usual downright and unsparing style, he had among his hearers his brother, Welch Cooper, a well known lawyer of Lancaster, N. H. The lecturer's total abstinence theories had not as yet taken in tobacco, of which he was an habitual consumer. In an interview after the lecture, Welch took occasion in the soothing language of which he was a master, to denounce the absurdity and inconsistency of an assault on intemperate liquor drinkers, by one equally intemperate in the use of tobacco. He was heard in silence which lasted some time longer, while every point made was evidently carefully considered. Then saying "Welch, you're right," the pipe was at once thrown away, and for the remaining forty years of his life he made no use of tobacco in any form.

Over his coffin one said: "His errors, so plainly visible in the light of his undisguised life, we shall honor him by avoiding; but the art of seeming to be only what we are, the lesson of sincerity we may learn from him, and he will live again in our lives if his austere plainness teaches us to be more sincere. A man simple in manners, firm in purpose, independent in action, liberal, pious, as such he will still live, long cherished in grateful memory."

URIEL CHITTENDEN HATCH.

THE subject of this biography was born in Hartford, Conn., October 21, 1780. After he had obtained a very good education for the times he entered the office of Gen. Stephen R. Bradley of Westminster, where he acquired his profession, and was admitted to the bar of Windsor county. After his admission to the bar he settled at Cavendish, Vt., for the practice of the law. Here he attained distinction both as a citizen and as a lawyer. He represented the town of Cavendish in the legislature in all for fifteen elections, and he held for many years the office of judge of probate. He was the confidential adviser and counsel for several of Vermont's governors.

He removed from Cavendish about 1830 to Troy, Vt., where he was engaged for a few years in the active practice of his profession. In 1834 he returned to Windsor county and settled in the village of Felchville in the town of Reading, and there practiced his profession until failing health compelled him to relinquish it. The death of his wife (who was a woman of great excellence of character, displaying under all circumstances the loveliest Christian virtues), occurred about this time. It weighed heavily upon him, and his health gradually declined until his death, June 19, 1878.

CHARLES STORY.

CHARLES STORY, the son of Alexander and Sally Myers Story, was born at Salem, Mass., December 30, 1788. The father was of English parentage and a sea captain, and lived and died at Salem, Mass. Charles received such an education as he could obtain at the common schools and academies of the time. He then came to Montpelier, Vt., and entered the office of J. Y. Vail, where he pursued the study of the law, and was admitted to the bar of Washington county at the September term, 1819, and immediately went to McIndoes Falls in the town of Barnet, and commenced the practice of the law. He remained there about ten years and then went to Coventry, Orleans county, Vt., where he remained in active practice until the spring of 1850, when he moved to Newbury, and died in the spring of 1851. In the words of one who

knew him well at Coventry, "He was a man of much native talent and ability, and was considered a good judge of law. He was not gifted as an advocate, and his practice was more particularly the trial of justice cases and in preparing cases for trial in the county court. He represented the town of Coventry in the legislature as a whig in 1832 and again in 1834, was state's attorney for the county for the years 1836 and 1837, and was once the member of the constitutional convention from Coventry."

DANIEL F. KIMBALL.

THE subject of this sketch was born at Bath, N. H., August 20, 1809. He was next to the youngest son of Isaac and Dorcus (Hubbard) Kimball. Mr. Kimball moved to Irasburgh, Orleans county, Vt., early in the history of that town, and settled on a farm on what is known as "Morrill Hill." Here young Kimball lived, attending the district school winters and summers also, until he was large enough to take his place in the field. He had an opportunity to attend the academy at Brownington occasionally a term, and also the academy at Hartland, Vt., for a while. In this way he succeeded in obtaining a very good common school education, with some knowledge of the higher branches. He pursued the study of the law with Elisha H. Starkweather at Irasburgh, and was admitted to the bar of Orleans county at the September term, A. D. 1831, and soon afterward commenced practice at South Troy village, and very soon young Kimball had secured a good living business. But then, as now, large numbers of all classes were taking up their march westward, and every mail brought tidings of the rich acres and grand opportunities in the then new states of Iowa and Wisconsin. Consequently in 1839, Mr. Kimball went to Wisconsin and settled at Janesville. He at once opened an office, and engaged in the practice of his profession to some extent, but the locating of government land and trafficking in the same was much of the business of all that section and quite lucrative, and became quite a share of his business until his decease, which took place at Janesville. Before leaving Vermont he married Miss Eunice Penniman of Boston, who also died at Janesville. They never had any children.

CARLOS BAXTER.

CARLOS BAXTER was born at Brownington, Orleans county, Vt., January 15, 1809. His father was Hon. William Baxter, a prominent lawyer of Orleans county, whose biography is given in this volume. After receiving an academical education, he became a student in Norwich University during the administration of Capt. Alden Partridge, and remained there until he entered the University of Vermont in 1826, which institution he left at the end of his sophomore year and entered Union College, where he graduated in 1830. Adopting the law as his profession, he attended lectures at Cambridge, Mass.—among those of the same class was Charles Sumner—and afterwards at New Haven, Conn. Upon his return to Vermont he was examined with great credit to himself, and admitted to the bar of Orleans county December 28, 1832, and soon located at Burlington.

Possessed of an ample fortune he did not long follow the law, but engaged in extensive business projects, and was at one time largely identified with the manufacturing interests of Burlington and Winooski, being one of the original stockholders of the Burlington woolen mill. To most worthy enterprises he was generous, and always took a deep interest in public affairs. An ardent whig, he was elected representative from Burlington in 1840, that most exciting year in the history of American politics, and many there are that remember well "O. K. 99," the memorable words which announced his majority. He was re-elected in 1841, and was an influential member of the general assembly. Of strong anti-slavery convictions, he joined the republican party at its organization, and was made in 1862 the first collector of internal revenue for that congressional district, an office which he acceptably filled and held.

Mr. Baxter was a man of large stature and fine presence. He had many eccentricities, yet he always enjoyed the respect of his fellow-citizens, and was loved in the society of his friends. He had a good mind, was fond of books, and possessed much independence of thought and action.

He was a man of strict integrity, kind to the poor, and did many charitable acts which the world knew little of.

Mr. Baxter was the younger brother of Hon. Portus Baxter, for several years the representative of the old third district in congress.

He married a daughter of E. H. Deming of Burlington, who died many years since. He had five children, of whom three daughters survive him—Ann Eliza, wife of Rev. J. Isham Bliss, Caroline M., wife of Hon. B. B. Smalley, and Miss Frances A. Baxter. After leaving the office of collector of revenue his health gradually failed him until 1870 when he was prostrated by a shock of paralysis, and in 1874 he had another and fatal attack.

LEVI B. VILAS.

From History of Bench and Bar of Wisconsin.

AMONG the many distinguished members of the early bar of Wisconsin who have passed from earth to be succeeded by a new generation in the profession, no one was marked by stronger powers, or more characteristic virtues, in his professional and private life than the late Judge Levi B. Vilas of Madison.

Judge Vilas was born February 25, 1811, in Sterling, Lamoille county, Vt., a rugged section well calculated to develop the physical and intellectual strength, and the integrity, industry and ability which so impressed his character, and distinguished him in all his work in life. He was ambitious in his youth, and having received an academic education, entered upon a collegiate course of instruction, but, by too persistent and constant application to his studies, his health became impaired, and he was compelled to forego the completion of his collegiate course. After a thorough study of the law, to which he devoted himself with his usual energy and industry, he was admitted to the bar at St. Albans, Vt., in 1833, and practiced his profession at Morristown, Johnson and Chelsea in that state, for a period of eighteen years. At the start he took a leading position at the bar, and during all this time he enjoyed a large and lucrative practice, extending throughout the state. Encountering an able, learned and accomplished bar, he diligently applied himself to his work, and won and maintained a professional reputation for ability, integrity, and learning of the highest order, which gave him a conspicuous place in the front rank of the most eminent members of the bar. The reports of the supreme court of that state during the period of his practice there attest the extensiveness of his business, the varied character of the legal

questions which he argued in the causes in that court in which he was engaged, and bear witness to the great ability, learning, and energy with which he presented and argued them in that tribunal, then noted and distinguished for the eminent and able jurists who filled and adorned its bench.

Judge Vilas at an early age took part in politics, and was chosen to many positions of trust and honor in his native state. In 1835 he was elected from Johnson to the state constitutional convention, and represented that town in the legislature in 1836 and 1837, and in the latter year was elected by the legislature one of the state commissioners of the deaf, dumb and blind, and during the same period he held the office of judge of probate. He removed to Chelsea in 1838, and represented that town in the legislature in 1840, 1841, 1842 and 1843, during which time he served on the judiciary committee, the last year as its chairman. He was elected state senator from Orange county in 1845, and re-elected in 1846, in which year he was unanimously chosen president *pro tempore* of the senate, although the senators of his political party were but a small minority of that body. He also held the office of judge of probate in Orange county for three years, and in 1850 represented Chelsea in the state constitutional convention. In 1844 he was the democratic candidate for congress against Jacob Collamer, and in 1848 was supported by the democrats of the legislature for United States senator against William Upham, but was defeated for these high offices, as his political party was in the minority in that state.

In 1851 Judge Vilas removed with his family to Wisconsin, and settled at Madison, where he continued to reside until his death. Here he at once took the high position as a citizen to which his abilities, experience, and reputation entitled him. Having acquired a comfortable fortune, he retired in 1856 from the field of professional labor, and never again resumed the practice of the law. He represented the Madison assembly district in the legislature in the years 1855, 1868 and 1873, during which time he zealously labored for the advancement of the welfare of his constituents, and faithfully represented and promoted the interests of his district, and in the last year of his service as a member of the assembly received the votes of the democratic members for speaker of the assembly. He was elected mayor of the city of Madison in April, 1861, without opposition, and held that office for one year, in the discharge

of which trust he exhibited the same qualities of firmness, independence, integrity, and ability which distinguished him in the administration of every duty, public or private, which he assumed. He was appointed by Gov. Salomon draft commissioner in the war for the union in 1862, and discharged the peculiarly difficult duties of that position with such ability and impartiality as to receive the approval and commendation of all parties. He was a firm and consistent friend of the cause of liberal education, and, in a service of twelve years as a regent of the State University, ably and loyally supported and encouraged the friends of that institution, and labored diligently, persistently, and effectively during the trying times of its early life and history, to establish and maintain the university on a firm basis, and to make it what it was designed and intended to be by the act of congress granting the lands for its support and maintenance. In proof of his steadfast devotion to the university, he gave to it for instruction, discipline, and training in its halls of learning his five sons, all of whom pursued there their collegiate course, and graduated with honor to themselves and to the institution.

Judge Vilas possessed a strong physical organization, and, until a short time before his death, enjoyed robust health. His personal presence was fine and commanding. His powers of mind, naturally active and vigorous, improved and developed by thorough discipline and generous training, impelled by an ardent and almost vehement, though not impulsive temperament, and supported by a strength of will and persistency of purpose that faltered at no obstacles and yielded to no opposition, united with a cool, clear, and discriminating judgment, which led him to quickly, but carefully and considerately, examine and decide all questions which were submitted to his determination, made him a strong, able, and positive man, sure and sound in his conclusions, an able, safe and successful counselor, and in public and private life a man of great usefulness, power and influence. In all the public and private enterprises which affected the interests of the community in which he dwelt, he was foremost among their promoters and advocates, discouraged at no obstacles which to many seemed insuperable, but combating and overcoming all apparent difficulties by his sagacity, energy, and strength of will, which seemed to gain new force and vigor by encountering opposition, he never rested from his work until success was extri-

cated from apparent defeat, and the object and purpose sought to be obtained were successfully accomplished. Nor was he only liberal in his labors for the accomplishment of such purpose; he also contributed generously from his means to give success to the enterprises which he advocated, and for which he labored to advance the interests and promote the welfare of the city in which he had his home.

He was strict and punctilious in meeting and performing all his duties and obligations, public or private, and required a like degree of promptness and fidelity from others. All his dealings in the affairs of life were guided and marked by unswerving integrity and unwavering fidelity to duty, and he had little tolerance for a disregard of those principles and qualities by others. He believed that infidelity to public trust was moral treason to the state; and in his performance of the duties pertaining to a long list of important public trusts committed to his care, during a long and useful life, his fidelity, integrity, and patriotism as a citizen and public servant were so conspicuously exhibited, that they were universally conceded to be beyond question and above the breath of suspicion.

In 1837 he was married to Esther G. Smilie, a daughter of Nathan Smilie of Cambridge, Vt., a lady of rare character and possessed of marked womanly power and accomplishments, whose counsel and prudent judgment, with remarkable gentleness and grace of manner, united with strength of character, greatly aided him in all his successful work.

Judge Vilas was essentially a kind-hearted man. His home was broad and generous, and he was faithful to the interests and requirements of his family, and careful and liberal in the education and training of his children, to whose proper and rational development and success he was devoted. He was kind to his neighbors, and cordial, genial, and hospitable to his friends and acquaintances. He was fond of society, and in conversation entertaining and instructive. His society was attractive, not only on account of the solidity of his judgment and the breadth of his information, but for his keen appreciation and remarkable power of illustration by appropriate anecdote and story. He was a careful observer of events and a keen judge of men and character, quickly and intuitively forming his judgment, and rarely failing in the correctness of his conclusions, and his opinion upon all practical questions of business

in public or private concerns was always received and regarded with the greatest respect and consideration.

He was kind and sympathetic to the poor, cheerfully lending a helping hand to those whom he found worthy of assistance, and many an unfortunate poor person in the city of his residence remembers with gratitude the timely succor and encouragement afforded him by Judge Vilas when aid was necessary to success.

In his religious views Judge Vilas was intelligent, broad and liberal. He had read and carefully studied the scriptures, and few men were more familiar than he with their teachings, lessons and examples. But he read and regarded them with a broad and philosophical spirit as sacred history, to be interpreted and understood in the light of reason and philosophy, unfettered in his judgment or appreciation of their teachings or information by any narrow view, and without an attempt to warp or bend them to fit any preconceived theory or plan. Although he was a member of no church organization, he was firm and unshaken in his belief in the existence of a divine creator, and showed in all the acts and dealings of his daily life his appreciation of his responsibility and duty. His religion was manifested in the morality and uprightness of his life and dealings with all men.

He died at his home in Madison on February 6, 1879, universally mourned by the community. His widow and five children survive him. The action taken after his death by the civic authorities of that city, the legislature of the state, and by the supreme court, and the private grief of his numerous warm personal friends throughout the state, attest the high regard in which he was held by them during life, and their keen appreciation of the loss sustained by his sudden and premature death. His remains were interred in Forest Hill cemetery near Madison, the scene of the labors of his latter life.

SEBASTIAN F. TAYLOR.

THE life of Judge Taylor, like that of many others, whose reputations are founded upon success in the practice of the law, presents no events of prominent or startling interest. His position was not won in a day, and I cannot look back to any particular era in his life as the beginning of his success or as its culminating

point. It has been the result of no single achievement, but of a life marked by untiring industry and unimpeached integrity, and illustrated by piety, philanthropy, and commanding talent. Judge Taylor was born at South Hero, Grand Isle county, Vt., December 24, 1808, and was the son of David and Helen (Phelps) Taylor. His father was a physician and surgeon, and served as such in the war of 1812. Soon after the war he deceased, leaving a widow and nine children in almost destitute circumstances.

Our subject attended the schools of his native island until he was about twelve years of age, when he was bound out to a blacksmith. From the first, work at the bellows and anvil was extremely distasteful to him, and he soon left it and engaged to carry the mail from his native island to Burlington in a row boat. He was naturally a student, and as he had opportunity was continually reading and studying, and he soon began to teach school in the districts of the county. He studied law, and was admitted to the bar about 1832, and immediately commenced practice at Greensboro, in the county of Orleans. In 1833 he was married to Judith Kelley, daughter of Erastus Kelley of Peacham, Vt., and in 1835 removed to Conneaut, Ohio, and opened an office for the practice of the law. He early took an interest in political matters, and in 1840 was especially active in support of Gen. Harrison, the whig candidate for president. The next year he was chosen a representative from Ashtabula county to the state legislature, and was one of the whig members who, in a body, resigned their seats in 1842, as the only means of defeating the scandalous "gerrymander" of congressional districts proposed by the democratic majority. In 1843 Judge Taylor removed to Milan, where he remained until 1866, when he removed to Sandusky, which was his place of residence until his death. In 1856 he was elected judge of common pleas for the subdivision embracing Ottawa, Huron, and Erie counties, and was re-elected in 1861. After his term of office expired he resumed the practice of his profession, and continued diligently at work until near his death, which occurred October 1, 1882. Judge Taylor was a man remarkable for different characteristics; first of all was conscientious fidelity to conviction. Few men are found more true to duty, regardless of personal consequences, than was he. Hence he had a position on every question that divided his fellow-citizens, and that position was rarely wrong. Especially in matters

of morals and religion was he early and prominent in defense of what his judgment decided to be right. The cause of temperance ever enlisted his earnest support. Throughout his active life he was a Christian, adorning his profession with a consistent record. As a lawyer he was faithful alike to his client and the right, carefully discouraging cases which his judgment could not approve as just.

He was industrious to a high degree, and painstaking to the utmost detail of business entrusted to him. As a judge his service was highly acceptable, his ability, watchfulness, and patient bearing co-operating to the satisfaction of bar and litigants. He was a friend true and faithful, whose consistency was proverbial.

ELBRIDGE GERRY JOHNSON.

From an Address delivered in the Circuit Court of Peoria, Ill., by Judge Henry B. Hopkins, in memory of the late Elbridge G. Johnson.

ELBRIDGE GERRY JOHNSON was born at Bath, N. H., December 14, 1814, and was the youngest but one of a family of twelve children, who all died before him except Moses, the youngest, who still resides on the home farm at Bath.

The father was a stalwart, strong-minded, well-to-do New England farmer. He owned and cultivated a square mile of the picturesque, rugged, and stony soil of Bath, and counted upon his family of boys to man it. They were largely endowed with the brain and muscle of the young New Englander of the olden time, and the father saw in them only the possibilities of the thrifty, honest yeomanry of the future. In this respect they generally filled the parental ambition, but not so with Elbridge G. His boyish mind became thoughtful, and turned to books and study more than to building stone-wall, swinging the grain cradle, the sickle and scythe, and the kindred arts of primitive husbandry. In this he found neither aid nor comfort from his father, but he was quietly aided and abetted by his mother and sisters. He worked on the farm until he was fourteen years old, but always under protest. A noble-hearted old Scotch Presbyterian clergyman, whom I well remember, (Elder Southerland), used to bring him books and foster his young ambition for learning. The boy's determination to pre-

pare himself for professional life met with so little sympathy that he was obliged to leave home, without aid or blessing, to qualify himself as best he could.

At that time the adjacent portions of the townships of Peacham, Barnet and Ryegate, in Caledonia county, Vt., were settled by a colony of Scotch Presbyterians, called Covenanters, and among them were a few clergymen, accomplished scholars, thoroughly educated in the universities of Europe. Of these was the Rev. Thomas Goodwillie, a talented and eloquent preacher and fine scholar. He lived upon a rugged farm which he tilled with his own hands, as did his parishioners. He always had about him a class of students, young men whom he undertook to board and lodge, in a humble way, and prepare for college, upon condition of their working for him on the farm two days in the week. For a considerable time Mr. Johnson was with this gentleman upon these terms, and many are the amusing and characteristic anecdotes I have heard him tell of discussions between himself and the reverend gentleman upon scholastic, scriptural and theological points as to which, happily, the pupil and preceptor rarely agreed.

He commenced to teach school winters at sixteen years old, and returned to work on the farm during the vacations of Newbury Seminary, where he was pursuing academical studies. When sent into the field to plow it was no uncommon thing to find him under a tree absorbed in his Latin text, while the oxen were quietly grazing in the fence corners.

Mr. Johnson afterwards located at Derby Line, Vt., on the border of Canada. He read law with the late distinguished Judge Redfield, and was admitted to the bar when twenty years old. His early professional life was full of brilliancy and promise. Hardly a young man of his time in New England was more flattered with predictions of an eminent future. A close and early friendship was formed between him and his fellow-student, Luke P. Poland, afterwards one of the supreme judges of Vermont, and later United States senator from that state, and now a member of the national house of representatives. This friendship was kept up as long as Mr. Johnson lived. He also numbered among his personal friends other names which have become eminent : Senator Samuel S. Phelps, Judge Redfield, Chief Justice Royce, the Hon. Portus Baxter and others. Mr. Johnson and Judge Poland, while they were students

together, agreed that each should be present to hear the other's maiden speech in court. Poland was admitted a year first, and Johnson was present to hear and admire his first speech. Afterwards, when Johnson came to make his first speech, Poland was there, and only a few years ago that magnanimous gentleman, in speaking of the circumstances to friends of Mr. Johnson, said: "I thought I made a good speech, but when I came to hear Johnson I concluded my place was on a back seat."

Mr. Johnson practiced law at Derby Line until he came to Peoria, where he arrived July 1, 1850. He was while there sought after and admired, as well for his eminent social as professional qualities. Among his talented friends at Derby Line was Dr. Camp, an Episcopal clergyman. The doctor, after spending a social Saturday evening with Mr. Johnson, rose, saying, "I must go now, or my Sunday sermon will not be prepared." Johnson replied, "Why do you prepare your sermons? It is just as I told you, ministers have no job compared with lawyers. When I have to speak I have no chance to prepare. I must be always ready, and meet my adversary face to face." The doctor said, "You would find it a different thing if you had to speak from a given text." Johnson said, "Doctor, give me a text, and I will write you a sermon if you will preach it to-morrow, provided you think it a good one." The doctor gave him a blind, ambiguous text from Leviticus, and Johnson wrote a sermon and handed it to the doctor early next morning, and he preached it in church that day. It was a powerful production, and to this day some of the people of Derby Line remember that sermon. I have heard it said there was not a dry eye in the congregation, and that at the close of the services the people went forward to the chancel and congratulated the preacher upon his extraordinary sermon. Afterwards the fact that it was the discourse of the lay brother got to the ears of the people, and made the good doctor no end of trouble.

In the early part of Mr. Johnson's residence here he held the office of state's attorney for one term, and later served one term in the state legislature as a member of the house of representatives, and soon after the enactment by congress of the late bankrupt law he was appointed register in bankruptcy for this congressional district, and held the office until the law was repealed. He discharged the duties of these various offices with unquestioned ability and

faithfulness. He was law partner, first for a short time with the late Judge E. N. Powell, then with the late H. O. Merriman, then with the late George S. Blakeley, then with myself for thirteen years, ending March, 1878, then with A. C. Hewett, then with George B. Foster until within about two years of his death.

Mr. Johnson came here a stranger, in middle life, with a wife and three children, without friends and without money. Business was limited and competition strong. Purple and Manning, and Metcalf, and Knowlton and Merriman, and Peters and Powell, and Ryan and Ballance, and Sanger and Cooper, all stood in the gateways of business to intercept its streams before they should reach the new comer. But his address and abilities soon gained for him a foothold among them, and won their confidence and esteem.

He was a man of dignified and imposing personal appearance, with nature's emphatic stamp of superiority. He was all his life under the dominion of strong powers, both mental and physical. His intellect belonged to the type of the colossal. On account both of the largeness of his powers and of his many peculiarities, it is difficult to measure him by the standards by which we ordinarily judge of men. Although he did not attain that distinction which his early life seemed to indicate, in the judgment of his gifted cotemporaries, yet he always had in himself all the qualities of greatness and power which justified that promise, and he needed only the occasion and sufficient force of impulse to have quite realized it. Owing partly to the time, the place, and the people of his location, but chiefly to himself, such distinction was but partly realized.

The truth is, Mr. Johnson was not a sufficient lover of money to ever become very rich, he was not sufficiently ambitious to ever become very distinguished, he was not sufficiently a specialist to ever become the noted man of any one thing; and he never estimated highly enough all that the world can give or promise to sacrifice himself sufficiently to win the equivocal crown of its favoritism. He always had a great reserve of powers not given to any of those things. They were not the chief objects of his thought, nor the chief cravings of his nature. He could never quite help seeing the harlequin's cap through its diadems of royalty. Even his profession never awakened all his interest nor commanded all his powers.

He was the least known, by those who knew him, of any man among us. Circumstances and the peculiarities of his temperament led him to encase his real being in what he intended should be an impenetrable wall of defence against all mankind, with only such loop-holes as he intended to look out at, and intended the world to look in at. The extreme nervous sensitiveness of his nature, of which the world knew so little, led him to put on an exterior of hardness, gruffness, forbiddingness, indifference, stolidity, anything but injustice, as a panoply against the woundings, irritations, grossness, neglect, blunders, malice, or intrusion of the world he must encounter, but which could not, and would not understand or respect a nature which was not of it. Within he was all susceptibility, delicacy, tenderness, sympathy, sentiment, imagination, poetry, ideality. Without was the cold, hard, fortified wall, which was transparent only to those who had known him long and well. While in his intercourse with the world his method was frank, ready, direct, practical and politic, he shrank, almost bashfully, from any real observation of himself. He could not endure being looked at, much less being looked into. While he was strong and patient under the burden of heavy responsibilities, he was restive and easily irritated by petty annoyances.

Upright and honest, he had no patience with tricks or duplicity. His opinions upon social, moral, religious, political and personal topics were most independent. They were formed and advanced with the utmost disregard of other people's views, of popular sentiment, and of formulated theories. I never heard him speak reverently of but one man—that was Daniel Webster. He knew no such thing as the fear or awe of public or private judgment upon his acts or his motives. In terms direct, positive, emphatic or blunt, he spoke out his convictions on such matters everywhere. Behind the shelter of an external indifference was a nature so sensitive and delicate that almost everything either hurt him or consoled him. A bundle of nerves, a tissue of sensibilities, a battery of forces, pain and pleasure were the ever vibrating tides of his emotions. His mental vision, on the practical side, was rapid, keen, searching, far-reaching, and he rarely failed to discern real motives, and to measure men and things accurately. On its psychological side it was wide of range, free of restraint, true to the sentiment of beauty, open to companionship and loyal to truth.

His learning, aside from his profession, was general rather than critical, and extended to almost every branch of science, history, invention, discovery, philosophy and speculation. His manner was cordial, his heart large and liberal, his conversation vivacious and interesting, often brilliant and witty, often sarcastic, pungent, ironical, full of pointed anecdote and ready, sharp retort, and pervaded with a kind of careless, impulsive light-heartedness. Yet he was essentially a thoughtful, grave-tempered and sad person. With a nature like his, the bereavements, struggles and disappointments which fell to his lot could hardly have left him otherwise. His early wife, to whom he was married at the age of twenty-one, died instantly at the end of eighteen months ; his second wife lived but five years, and a beautiful boy whom he idolized, died here in 1856. And a nature, always too painfully sensitive for the world's rough contact, became more and more chafed, irritated, worn, weary and sore. With a beautiful home, family, friends, affections and comforts about him, he was too isolated and too sad of temperament.

His sentiment of the beautiful underwent no degeneration. He carried it, in its youthful freshness, all his life long. Flowers and poetry were his twin angels. They fanned away his cares with their peaceful wings, and softened his hardest hours with the sweetness of their singing. Nature was always his friend and confidant. Whatever his mood, happiness came in with the free air, with the light, the sky, the bird song and the sunshine, and with mother earth and the beautiful children upon her bosom, vegetation, fruits and flowers. He once called my attention to the petunias all along the paths of his yard, saying, "They are humble things, but they will look up to you with their faces of beauty all the season through."

From his youth he took delight in and occasionally cultivated poetry. The lines penned by him were generally of the order of the Hudibrastic verse, made for a temporary occasion or amusement ; sarcastic, rhymed and rythmical hits at some current folly or comical or ridiculous personality ; witty, apt, sharp as a dart and straight to the mark. But occasionally his pen pleaded respite from repression and flowed with a thoughtful, gentle, sombre harmony.

I have access to only one of his poems. It was written in his later years and just come to my hand. It chances to be in accord-

ance with what I have said of him. Especially of the thoughtful, gentle spirit behind the earthworks he had thrown up to battle off a heedless world; and of the hunger and thirst of the soul for more than the poor abundance of all the world can give; and of that beseeching of the heart, which is more than prayer, for the boon of the weary—peace and rest.

In the poem occur these lines :

I'm floating on life's ceaseless tide,
 On life's flowing, rushing river;
 My crazy bark as yet doth ride,
 But many seams are opening wide;
 'Tis sinking fast, I cannot hide;
 I see the hungry waves and shiver.
 I feel their damp and chilly breast,
 I feel their rigor in my soul;
 I see the foam upon their crest,
 And know beneath is certain rest.
 I know this end of life's behest,
 That peace will with the waters roll.
 Above my head, submerge my life,
 Wash out the fever of the past
 And close the weary, constant strife,
 The ills that cut as with a knife,
 With which our pilgrimage is rife,
 And bring repose, perhaps, at last.
 Where shall we turn when age has come,
 When greenest paths of life are past,
 When to the ear the song is dumb,
 And films before the sight are cast,
 When love's a faint remembered thing,
 A flickered light of former years,
 A sunbeam on the wild dove's wing?
 All things that e'er have lived have died;
 Their dust lies peaceful side by side.
 The soothest thing for mortal woes,
 Is endless, undisturbed repose.
 Whate'er we dread, that fate is best
 Which brings the weary rest, sweet rest.
 The future yet may open wide
 Its gates of light and love forever,
 With naught to chain the spirit's stride,
 With naught to grieve with hopes that lied,
 With naught the truth from souls to hide,
 Beyond death's darkly-rolling river.

No choice ; we lived, we loved, we grieved.

We've hoped and lost and hoped again,

We've trusted oft, been oft deceived,

We've doubted oft, perchance believed,

Begotten offspring, been bereaved.

Our web by fatal hands was weaved

With threads of joy and woof of pain ;

Why wish that such a life remain ?

The song were best without refrain.

I know, I know whereof I write,

That some true souls who grieved on earth

Are living still, all robed in white,

Whose eyes now beam with angel light

Reflected from their inward right.

Sweet souls who've had their second birth.

If such may live a life so bright,

Why may not we who grope in night ?

No picture of Mr. Johnson would be true to him which did not show the light thrown upon his life and character by his views upon the subject of the life to come. His mind was emphatically of the type called skeptical. Belief upon any subject, human or divine, without palpable reason or tangible proof, was a thing impossible to his mind. From youth he neither could nor would adopt any opinion which did not come with reason that he could comprehend or proof he could perceive. As a consequence he was not only a philosophical skeptic, but a universal disbeliever. Yet this man, in the maturity of his intellect and in the meridian of his life came to have such a confidence, such an assurance of the future life as I have never seen in another. To him the opinion of others on the subject was nothing ; the policy of acquiescing in popular doctrines was nothing ; the power of anathema was nothing ; the bias of an early education was nothing ; preaching and teaching were nothing, and revelation was nothing. Yet in a way of his own, or at least by means addressed to his own comprehension, he reached such a state of certainty that he should enter upon life after death as to doubt it no more than he doubted when the evening faded with the setting sun that the morning would brighten with his rising. The light of this conviction gave color to his whole life. Every day he strove to make his own soul more worthy to be a bright denizen of a brighter land.

FRANKLIN JOHNSON.

FRANKLIN JOHNSON was the son of Ezra A. and Annie (Hunt) Johnson, and was born in Troy, Vt., May 8, 1809. He was educated at the common schools and academies and at Yale College. He studied law with E. H. Starkweather at Irasburgh, and was admitted to the bar at the December term, 1834, and soon went West and settled at Monroe, Mich., where he engaged in the practice of his profession. He was elected prosecuting attorney for Monroe county in 1856, and re-elected in 1858. In 1860 he was elected judge of probate for the term of four years, and in the spring of 1863 was elected judge of the judicial circuit of Michigan, a position which he held six years, making an official career covering a period of fourteen consecutive years in spite of the fact that he was a republican in politics, while the county was democratic. Upon retiring from the bench he resumed the practice of his profession, and in the spring of 1870 was elected attorney for the city of Monroe. He died Tuesday, October 11, 1870. At a meeting of the Monroe, Hillsdale and Lenawee bar, held on the 12th day of October, 1870, the following preamble and resolutions were adopted, which conclusively show with what esteem his associates regarded him :

“When an upright man dies the community suffers, his friends mourn, his peers and associates miss his place in their ranks, and all unite in expression of regret for the common bereavement.

Wherefore, we, the members of the bar of Monroe, Lenawee and Hillsdale counties, moved by the death of Hon. Franklin Johnson, for nearly forty years one of our fraternity, do hereby declare and resolve

FIRST. That, with no ordinary feeling do we record the decease of one in whom were most eminently combined a free love for his profession, a full sense of its dignity and worth, and a keen appreciation of the essential justice that lies at the foundation of all proper administration of law.

SECOND. That, in our relation with him as associate, opponent or adviser, he was honorable, his word was as good as his bond, his verbal as his stipulation. He despised a trick; he abhorred a pettifogger; he loathed a legal rascal; he sought for success in the inherent justice of his case or the right of the law. He was a sound lawyer, he was an honest man, and he commanded respect from court and compeer alike. He deserved it for his integrity and ability.

THIRD. That, as a judge he was candid and impartial, and has won and established in his administration on the bench for a period of six years, a record of which any man might be proud.

FOURTH. That, out of respect for his memory we will attend his funeral in a body, and that the clerk of this meeting be instructed to deliver to his afflicted widow a copy of these proceedings, and cause the same to be published in the county papers."

H. M. WEAD.

By HON. E. G. JOHNSON.

THE subject of this biography was born June 1, 1810, at Sheldon, Franklin county, Vt. His father, Samuel Wead, was a country merchant at that place, having a large business which he conducted until his death in 1831.

H. M. Wead began the study of the law in the office of a lawyer at Richford, Vt., before he was twenty years of age, subsequently removed to Malone, N. Y., and entered the office of Azro Hawkins, and was admitted to the Franklin county, N. Y., bar. Shortly after his admission he returned to Vermont and entered the office of a lawyer at St. Albans, where he remained in legal study nearly a year, and was admitted to practice in the state of Vermont. He left Vermont again soon after and spent some two years in the state of Ohio, and returned to Vermont on the death of his father, which occurred about that time. Soon afterwards, about 1833, Mr. Wead formed a partnership with Charles Story of Coventry, Vt., where he remained two or three years. Some of the old inhabitants of Orleans county will no doubt remember the celebrated case of John B. Allen *vs.* Parkhurst and Fuller, for false imprisonment and forcible abduction of plaintiff from his residence in Potton, Canada, to the jail of Orleans county. That action was commenced by Mr. Wead, and carried on through several exciting trials with great energy and with the indomitable perseverance which was characteristic of him during his whole life. It was on the first trial of the case at the June term of Orleans county court that the writer first made the acquaintance of Mr. Wead, which continued until his death at Peoria in 1876.

At this time he was in the full vigor of his youth, strong and powerful physically, ambitious, ardent, enthusiastic, and equally powerful of mind and will. Almost every advocate of any standing in the circuit was engaged on one side or the other of this case.

Mr. Wead opened the case for the plaintiff with an argument of some hours and with great ability. There was no dispute about the law, and really little about the facts; no doubt of the utterly unwarranted abduction of the plaintiff, but unfortunately the character of the plaintiff prevented all sympathy for him and his wrongs. The public could not approve of the legal outrage, but they could not find any great sympathy for the plaintiff. I well remember the scene, the eloquent speech of the advocate, and the apathy of the audience as to the plaintiff's fate. It is now nearly half a century since, and neither the venerable judge, nor any one of the officers of the court, or attorneys attending the court, except myself, I believe, is now living.

The celebrated case lingered along through many trials, lasted several years after Wead left Orleans county, became a mere question of costs, and finally resulted in a verdict for defendants. The plaintiff retired from the position of a martyr to the obscurity of private life on the classic shores of Potton.

Mr. Wead, after he left Orleans county, was for some time a partner with Gen. Cushman at Guildhall, Vt., afterwards located for two or three years at Lancaster, N. H., drifted from thence to New Jersey, and from there in 1840 to Lewiston, Ill., where he became a prominent citizen and lawyer, and rapidly acquired the position and distinction to which his ability and energy eminently entitled him. In 1847 he was a prominent member of the constitutional convention of the state of Illinois. In 1852 he was elected judge of the tenth judicial circuit of Illinois, resigned in 1854 and removed to the city of Peoria, and resided there until his decease in 1877.

He was liberal in his expenditures, strictly honorable in his business relations, acquired a good estate, and raised a very respectable family, to whom he was a generous father and friend.

His early life was strengthened and developed by the necessity of self-reliance and industry, which compelled him to educate and support himself, and carve his own way to success without aid. He seems never to have found his proper field of effort and action until he came to Illinois.

He always stood to his guns, never lowered his flag, never sought to win favor by the acts of the demagogue, believed in himself, never doubted he was entirely right, and never yielded a point to

adverse clamor. What the Rev. David Sutherland said in prayer of a somewhat persistent clergyman who was in a controversy with his church on matters of discipline, could well have been said of Wead. Said he, "O, Lord, thou knowest thy servant is a true servant of thine; but Lord, thou knowest he would as soon brush a fly from a brother's nose with a mallet as a feather."

CHARLES WILLIAMS PRENTISS.

CHARLES WILLIAMS PRENTISS, the fifth son of Hon. Samuel B. Prentiss, was born at Montpelier, Vt., October 18, 1812. He received his primary education at the schools of Montpelier. He entered the University of Vermont and remained there one year. He then entered Dartmouth College where he graduated. He then entered the office of his father for the study of the law; subsequently he went into the office of the Hon. Isaac F. Redfield at Dcrby, from whose office he was admitted a member of the Orleans county bar June 24, 1835, and immediately commenced the practice of his profession at Irasburgh, where he remained until 1843, when he removed to Montpelier. He represented Irasburgh in the legislature for 1841 and 1842. He continued in practice at Montpelier until 1852, when he removed to New York City, and in 1867 to Cleveland, Ohio, where he now resides. Until quite recently, at these different places, he has been actively engaged in the practice of his profession, and with the highest degree of success.

ELIJAH FARR.

By HON. C. B. LESLIE.

ELIJAH FARR was born in Thetford, Vt., August 14, 1808, and died July 2, 1845, in his thirty-seventh year. He early came to Bradford, and his early days were spent there. He was a poor boy, and was bound out for a portion of his minority to a Mr. Winship of Bradford. He was ambitious to acquire an education, and for that purpose he attended the Bradford Academy, which was in those days famous for good teachers and ambitious pupils. Mr. Farr was a very good academical scholar. He studied law

with the late Judge Isaac F. Redfield at Derby Line, and was admitted to the bar of Orleans county June 3, 1835. After he was admitted to the bar, he directly came to Wells River and formed a partnership with Peter Burbank, and after Mr. Burbank's death in the winter of 1836, he continued the practice of his profession at Wells River until he died in 1845. He was one of Mr. Burbank's executors, the other being Zebina Newell, then cashier of the bank of Newbury. Mr. Farr succeeded to, and took the law practice of the firm of Burbank & Farr. He was a very fine jury advocate, a close and logical reasoner, and fluent of speech, using good and appropriate language in his arguments. His memory was strong, and he hardly ever took minutes of all the testimony when he tried causes, only the heads and names of witnesses, and he was able to quote the testimony correctly in his arguments. He was a very tall and slim man, being six feet five inches in height, and his constitution was not strong, nor was his health. He was a well-read lawyer, and stood high in his profession, both as a lawyer and advocate.

He was state's attorney for Orange county in the years 1839 and 1841, and state senator for the same county for the years 1843 and 1844, and he was also postmaster at Wells River for many years. In August, 1844, he took cold while trying an important cause at Bradford before an auditor or referee, and it settled upon his lungs, and he died of consumption the next July. The writer read law in his office, and entered into copartnership with him November, 1844, which copartnership ended with the death of Mr. Farr. Mr. Farr was liberal and public-spirited, using his money freely and for worthy objects. His estate was not large after paying his debts. He was temperate, industrious, capable, and an honest man. In his practice, which became large, especially in contested cases, he was quite successful.

Mr. Farr was not a professor of religion, but he was a constant attendant at church, and was one of the movers and builders of the church at Wells River. He never married. The writer bought his office and library, which included the library of Peter Burbank.

Politically he was a democrat, and as such was elected to the offices which he held. He died in the prime of life, and had he lived longer I think he would have made a reputation throughout the whole state as a good and successful lawyer.

DAVID ALLEN SMALLEY.

Biographical Encyclopedia of Vermont.

DAVID ALLEN SMALLEY, of Burlington, United States District Judge for Vermont, was born in Middlebury, Addison county, Vt., April 6, 1809. His British ancestors bore the name of Smallett. The first of the family who emigrated to the new world was Benjamin Smallett or Smalley—as he wrote the patronymic—of Dunbarton, Scotland. Arriving in Massachusetts in 1687, he was for a short time a member of the Plymouth colony, but soon removed to Connecticut, where he died in 1703, leaving three sons. Benjamin Smalley, eldest son of the immigrant father, was born at Norwich, Conn., in 1693, and died in Salisbury, Conn., in 1757. He married Margaret Allen, an aunt of Gen. Ethan Allen, the captain of Ticonderoga. Two sons, named Benjamin and John, survived him. Benjamin, the elder, was born at Lebanon in 1723, and removed from Salisbury, Conn., with his family, in the spring of 1773 to that part of the New Hampshire grants now known as Middlebury, Vt., where he died in 1807. There he built the first log house in the settlement, and there his two children were the first victims of death. Imri and Alfred, his sons, survived him. Imri married a daughter of Maj. Jonathan Hart of Berlin, Conn., who was killed in the defeat of Gen. St. Clair on the 4th of November, 1791, while leading a bayonet charge intended to protect the retreat of the main body. Born in Salisbury, Conn., in 1761, Imri Smalley died at St. Albans, Vt., in 1827, and left two sons, bearing the names of Zera and Benjamin H. Zera Smalley was born in 1787 and died in 1842. His wife was a granddaughter of Maj. Garrett, who was slain in the massacre of Wyoming. He himself served as an army surgeon in the war of 1812. Of his three sons David Allen was the eldest.

Distinguished in his youth by the warmth and kindliness of his feelings, by his quick perceptions, retentive memory and personal daring, David A. Smalley was the boon leader of his companions. While a student in the academy at St. Albans, he achieved lasting reputation for numerous mischievous pranks that were characterized by the prominence of fun, and the utter absence of recklessness and malignity.

Hoisting a donkey into the belfry of the academy, or drawing



J. A. M. M. M.

wood upon a sledge for the comfort of a needy widow and her family, were occupations almost equally agreeable to the active and sprightly boy. Choosing the profession of law for the future pursuit of life, young Smalley began the requisite studies in the office of Smalley & Adams at St. Albans. There, too, he completed preparation, and at the age of twenty-two was admitted to the bar of Franklin county in April, 1831. Benjamin H. Smalley, the senior member of the firm, was his uncle. He died at an advanced age in Frelighsburg, Province of Quebec.

Henry Adams, the younger member, always enjoyed the warmest affection of his former pupil, who named his eldest born after that gentleman. Mr. Smalley settled in Jericho for professional practice soon after his admission to the bar, and also discharged the duties of postmaster, which office he held from 1832 to 1836. Ability, zeal, and success won a constantly increasing clientage and an enviable reputation. In 1836 he removed to Lowell, Orleans county, and opened an office, but remained there only a few months. Thence he repaired to Burlington, which became his permanent home. Here a wider field for ambition and energy presented itself—a field that he wisely and diligently cultivated. Already he was known as an ardent adherent of Gen. Jackson, and as an eloquent and effective advocate of that statesman's policy. In the political discussions of debating societies, store gatherings and street corner groups, he was an influential participant. Nor was he less positive and decided in the family circle. His son Bradley—named after his grandfather, Col. Bradley Barlow of Fairfield—was thoroughly indoctrinated in childhood, has been for many years a leading democrat in Vermont, and was a member of the national democratic committee in the last two presidential campaigns. Impulsive, earnest and persistent, Mr. Smalley was as active in political as in legal affairs, and established high reputation in both departments. Gov. Van Ness, afterward United States Minister to Spain, and himself, being like-minded, contracted a faithful and life-long friendship soon after his arrival in Burlington. Law and politics are closely allied under any form of government, and particularly under the democratic—republican. Each supplements and aids the other. In 1842 Mr. Smalley received the compliment of election on the democratic ticket to the state senate from Chittenden county.

This was the more remarkable, inasmuch as state and county were overwhelmingly whig in point of political preference. Declining renomination, he devoted himself with renewed assiduity to legal practice. In 1844 he was admitted as a practitioner into the United States Supreme Court. In 1847 he was elected chairman of the state democratic committee, of which he was a member, and in each of the ten following years was re-elected to the same position. To the national democratic conventions of 1844, 1848, 1852 and 1856, he was a delegate, and in the two latter years was chairman of the Vermont delegation. In the national democratic convention assembled at Cincinnati in 1856, he was made a member of the national committee, and by it was chosen to the chair. Of Stephen A. Douglas, his old comrade and school-fellow, who was also a native of Addison county, he was a zealous, personal, and political friend. Nor was he on terms of less intimacy with Gen. Franklin Pierce, who, upon his accession to the chief magistracy in 1853, tendered to Mr. Smalley the appointment of minister to Russia, Spain and Austria, and to the solicitorship of the treasury successively. All these honors were declined. He did, however, at the earnest solicitation of the president, accept the office of collector of customs for Vermont, for the reason that its occupancy would neither necessitate the abandonment of his large and lucrative legal practice, nor seriously interfere with its prosecution. Railroad enterprise found an efficient helper in Mr. Smalley, one of the originators of the Rutland and Burlington railroad company. He was also one of its directors and legal counselors. From 1856 to 1863 he owned all its stock and controlled the corporation. The acknowledged leader of the Vermont bar, possessed of the most remunerative practice in the state, and collector of customs from April, 1853, to January, 1857, his official promotion was simply a matter of time and convenience. The election of James Buchanan to the presidency in 1856 was largely due to his sagacity and zeal, the remarkable powers of organization then displayed elicited keenly appreciative applause, and added to his fame as a practical politician and prescient statesman.

In January, 1857, Mr. Smalley accepted a seat on the bench as a member of the federal judiciary. Thenceforward he wholly abstained from participations in party politics. Neither would he have anything to do with political appointments. Even advice on

the subject was refused to the administration ; because, as he wrote in explanation, judicial activity in partisan politics is most indecorous and improper, tends to the disrepute of the judiciary, and degrades its weight and authority. His sound and judicious opinions on this topic were concordant with the action of the national senate, which unanimously confirmed his nomination without the formality of reference to a committee. Higher testimony of legislative confidence it was impossible to give.

As a judge David Allen Smalley is best known to his country. His twenty years of service covered the crisis of its history. With its political convulsions, its readjustments, and its subsequent marvelous developments he is intimately identified. He held the balance of justice with steady and even hand. Neither clashing opinions, nor factious rage, nor military collisions, affected the cool, clear judgment of the distinguished jurist. The supremacy of constitutional law was to him an axiomatic truth, and all things must be subordinated to it. Tyranny on the one hand and lawlessness on the other were equally held in check. This sternly grand impartiality clothed his decisions with weightiest authority, and commanded the gravest and most unquestioning respect. Especially was this the case in relation to the slave trade, as carried on by merchants from the port of New York. While presiding over the United States Circuit Court in the city of New York, in December, 1860, in charging the grand jury he said :

“You will probably be called upon to investigate alleged infractions of the laws for the suppression of the slave trade. If courts or jurors fail to do so, they in turn become offenders against the law, faithless, perjured guardians of the great trusts reposed in them, and deserving of the most condign punishment. Within the last three months more than three thousand miserable human beings have been taken by American cruisers from slave vessels sailing from the port of New York. The laws against it are sufficiently plain, explicit, and severe to put a speedy end to it if vigorously and vigilantly enforced. It must be expected that the degraded, bad men who engage in or aid and abet this horrible trade (for none others do), will resort to any species of chicanery, fraud, and falsehood to escape detection, cover up their infamy and avoid punishment. Those who will in any way be privy to it will resort to any crime, however atrocious, to conceal it. Such is

human nature, and a knowledge of it should be met by the most unyielding determination, vigilance, and vigor of the officers of the law to ascertain the truth, point out the criminals and bring them to justice."

The propriety, force, and necessity of this noble charge commanded the cordial praise of the best portion of the metropolitan press. The New York Times of December 27, 1860, quoting the formally enunciated opinion of Judge Roosevelt, United States prosecuting officer for that district, that public sentiment in regard to the slave trade had undergone a change, and that the national executive would not, under any possible circumstances, permit a conviction for this offense in the first degree, to be followed by the punishment prescribed by law, said of it :

"It is a bold, clear, and emphatic pronouncement against the doctrines of District Attorney Roosevelt. This is the first intimation that they (the slaver commercial houses), will have received for many years that a judge of the United States is holding court in the city of New York who cannot be deterred from doing his whole duty. If we understand Judge Smalley rightly, he will also do his utmost, within the limits of his office, toward directing the attention and action of the grand jury against the millionaire and wealthy merchants who have accumulated, and are still trying to increase, their fortunes in this unholy business."

The effect of this charge by a conscientious, pronounced and eminent democratic judge was immediate and decided. On the 14th of January, 1861, when the secessionists had fired upon the steamer that attempted to convey troops and supplies to Fort Sumpter, then under the command of Maj. Anderson, Judge Smalley charged the grand jury in the United States Circuit Court at New York on the law of treason and misprision of treason. Certain merchants and residents of that city had shipped arms and munitions of war, and also supplies, to the seceded states, after their commission of overt treason by firing upon a national vessel. After stating that civil war existed in portions of the Union, and that the confederates were guilty of "high treason by levying war," and that neither states, nor the people of any state, can absolve themselves or others from allegiance to the United States government, he added :

“What amounts to adhering and giving aid and comfort to our enemies? It is somewhat difficult in all cases to define ; but certain it is that furnishing them with arms or munitions of war, vessels or other means of transportation, or any material which will aid the traitors in carrying out their traitorous purposes, with a knowledge that they are intended for such purposes, does come within the provisions of the act.”

The effect of this charge was electric. It crystallized the chaotic sentiments of unionists into definite and solid opinion, and also evidenced the fact that partizan distinctions were annihilated in presence of danger to the integrity of the Union. Coming from a jurist of his political antecedents, it wrought with all the greater force. The newly elected president, Abraham Lincoln, warmly thanked him for his action, and congratulated the country that in such a fearful crisis it was blessed with so fearless and independent a judge. The press of both political parties generally commended his charge. Dissenters like the *New York Illustrated News*, which said, “Although we have respectfully stated our dissent from the judge’s definition of the law, we cannot withhold our admiration of the patriotism which induced Judge Smalley to assume the responsibility of directing public opinion in the crisis at which the affairs of the country have arrived,” spoke with bated breath and reverent esteem of his moral courage. The best characteristics of Andrew Jackson belonged to his early admirer and disciple. Conscientiousness, impartiality, and firmness found ample scope in the new issues and trying ordeals of those perilous times, whether checking secessionist disintegration, or defending the rights of the people against the usurpations of officialism, he was equally wise and decided. Constitutional law was the only guide he would consent to acknowledge.

At the October term of the United States Circuit Court, held at Rutland, Vt., in 1862, Judge Smalley rendered a decision in the case of *Field*, who had applied for a writ of habeas corpus on the 27th of August previous. This writ had been granted by the judge, but obedience thereto was refused by United States Marshal Baldwin, who acted under instructions from the war department at Washington. Judge Smalley pointed out the illegality of the prisoner’s detention, and in terse and vigorous language described the order under which Baldwin had refused compliance :

"It contains (said he), an implied threat against the members of the bar and other officers of the court, and even against the court itself, if either do anything judicially or professionally to liberate a prisoner confined in jail upon what we have already seen was a despotic and illegal order of the war department. A more flagrant disregard of the constitution of the United States can hardly be conceived. I deeply regret that such an order should go abroad, not on my own account, but because such illegal assumptions of power go far to bring our institutions and government into disrepute, both at home and abroad. I need not say to the people of Vermont, my native state, where my temper and conduct through life are well known, that threats will not influence me, nor that I shall do what I deem my duty unawed. A judge who will not faithfully and fearlessly perform every duty imposed upon him by the constitution and the laws, as much merits disgrace and punishment as does the soldier who deserts his colors on the battle-field."

The upshot of the difficulty was the revocation of the objectionable order by the war department. Judge Smalley fined the marshal for contempt of court, and would not permit him to act as one of the officers of the court until he had purged himself of such contempt by obeying the rejected order. The marshal paid the fine and was restored to his privileges. Such judges as David Allen Smalley are invaluable to the commonwealth. Liberty can not sustain injury while they preside in tribunals of justice. This was only one out of many instances in which he sturdily resisted the arrogant approaches of authority toward usurpation and tyranny.

Judge Smalley was a tireless worker. He not only attended the terms of the circuit and district courts in his own district, but frequently presided over the United States Circuit Courts in New York, Albany and Buffalo, and other places. A paralytic stroke impaired his physical powers in July, 1874. In consequence of this, congress passed an act in February, 1875, authorizing him to retire from labor, and continuing his salary. Partial restoration induced him to decline the proffered privilege. But in February, 1877, he tendered his resignation which was accepted, and was to take effect from the appointment of his successor. On the 10th of March, 1877, Judge Smalley died at his own residence in Burlington. His judicial career was one of remarkable power and brilliancy. Its

zenith was coincident with the most momentous crisis of our national history.

His love of country was profound, and his hatred of oppression most intense. Uniting a generous and pure heart with an uncommonly powerful intellect and a fearlessly indomitable will, he was greatly beloved by all who could appreciate his virtues. In his own home he was ever an exceptionally fond husband and a tenderly, affectionate father. The Hon. E. W. Stoughton of the United States Circuit Court in New York City, voiced the feelings of the bench and of the bar in the statement, "In many respects his personal qualities were of a character to endear him to those who became his friends. In his family he was very much beloved. His home was made by the very qualities I have mentioned a very charming and a very happy one." The Hon. E. J. Phelps on the same occasion bore strong testimony to his superlatively excellent judicial qualities. The Hon. L. E. Chittenden also, who had often been his antagonist in litigated cases, said that of Judge Smalley "one thing was especially characteristic—when he gave his word or understanding to another member of the bar, it was always as reliable as his bond." As one who never had any personal difficulties, "his influence upon the younger members of the bar is most excellent, and his example one which none of us will ever be too old to follow." Two of the gentlemen whose estimates are thus cited, had known him as legist and jurist for nearly forty years.

David Allen Smalley was married on the 22d of May, 1833, to Laura, daughter of Col. Bradley Barlow, a large landed proprietor, and a gentleman of high standing and extensive influence in Fairfield, Vt. Five children were the issue of this union. Of these Henry Adams Smalley, Bradley Barlow Smalley and Eugene Allen Smalley survive.

LUKE P. POLAND.

LUKE POTTER POLAND of Waterville, Vt., was born at Westford, Vt., November 1, A. D. 1815.

The ancestry of Judge Poland is of the best Anglo-American stock. His grandfather, Joseph Poland, went from Ipswich, Mass., to North Brookfield, Mass., in 1780. Five years later he married Rachael Hathaway. He was a carpenter and joiner by trade, and

also worked at cabinet-making. He was the father of seven children, and died in 1845 at the age of ninety. Luther, his second son, was born in March, 1790, and in 1812 married Nancy Potter. Two years later he moved to Underhill, Vt., where he followed the paternal occupation, adding thereto the business of farming. In 1821 he moved from Underhill to Coit's Gore, now Waterville. After Waterville was organized as a town in 1826, he was elected its first representative to the state legislature. He also held many other offices of trust, and was for many years a worthy deacon in the Congregational church. He lived to the advanced age of ninety-one years, and died in June, 1880.

Luke P. was the oldest son of Luther and Nancy (Potter) Poland. Like many of the eminent men of Vermont, his early advantages were very limited. He attended the district school until he was twelve years old, when he became clerk in a country store at Waterville. He remained in this position two years. He learned to write a good hand, to keep accounts, to cast interest, and to transact ordinary business. The next three years he spent at home. He helped his father at his trade, on the farm, and in running a saw-mill driven by the neighboring brook. The last named fact explains the saying of the judge, "I was brought up and educated in a saw-mill." At the age of seventeen he attended for five months Jericho Academy, having exchanged boards from the saw-mill to obtain cloth for necessary clothing. This ended his school days. But his large, active brain had been receiving education from every source, the farm, the store, the shop, the saw-mill, the public schools, the academy, and the few books the neighborhood supplied, which were eagerly sought and their contents devoured. The proficiency thus acquired had given him confidence in his ability to open to himself a wider field of labor than the few paternal acres. With his father's approval, and with his effects, which consisted of one change of underclothing, he set out on foot, his own master, for the neighboring village of Morrisville, where he was employed to teach the village school. He taught successfully two winters.

He was as vigorous in body as in mind, excelled in athletic sports, and was an expert ball-player. At the close of his first school he entered upon the study of the law in the office of Judge Samuel A. Willard. The habits of industry and perseverance already acquired continued in pursuing his legal studies. His



Lake P. Poland

means would not allow of continued study in the office. Hence to obtain means, Judge Willard having some business matters that needed constant attention at Greensboro, young Poland opened an office there for the practice of the law, and did quite a business at this place until he was admitted to the bar of Lamoille county at the December term, 1836, the first term after the organization of the county, at which time he was only twenty years of age. He had manifested so much faithfulness and ability in the pursuit of his legal studies and in all business entrusted to his hands, that Judge Willard took him as a partner, which continued three years. He soon gained a large practice, mostly in Lamoille, Orleans and Washington counties. With a family and no property, except what he earned, he became an intense worker. From necessity, as he has often said, he acquired a facility and rapidity in the dispatch of business, in the mastery of principles, cases and books, in the comprehension and marshalling of facts that rendered him a marvel in the eyes of many of his compeers. The practical knowledge which he had gained in his varied experience greatly aided him, not only in understanding his cases himself, but in presenting them to the easy comprehension of the jury. He was skillful in preparing, successful in managing and presenting his cases to the jury. He was clear, forcible, and logical in the statement of the law in the higher courts. He could yield gracefully to inevitable defeat, but was too combative to surrender so long as there was a fortress uncarried. His practice became extensive and was continued for twelve years, when he was selected one of the judges of the Supreme Court. Although at the time a free soil democrat, he was elected over a whig competitor by a whig legislature, and afterwards received seventeen successive elections by a *viva voce* vote. In 1860 he was elected Chief Justice, which office he held till he resigned his seat upon the bench in 1865, to accept the appointment to the United States Senate in place of Judge Collamer, deceased. At the age of thirty-three the discharge of his judicial duties brought him at once into close association with such men as Stephen Royce, Isaac F. Redfield, Milo L. Bennett, Daniel Kellogg and Hiland Hall, men who rank high in the judicial annals of the state. Nor did he suffer by the comparison. He was, emphatically, "the right man in the right place." By intuition, apparently, but really by close

and vigorous application, he comprehended and mastered the broader principles of the law.

His knowledge of the practical affairs of every day life, and his strong common sense, made him especially happy in applying them to such cases as came before him. He was quick to discern the controlling element in the facts of a case which made a particular principle of law applicable or inapplicable. He reasoned logically and stated his views clearly. His plain, pointed, and forcible charges were so helpful to the jury that they rarely disagreed. His presence was fine, his bearing courtly, his self-command great. He had withal enough of the natural school-master to command and maintain the best of order even in the heat of conflict. Stenographic reporters were then unknown. Each presiding judge took full minutes of testimony. A rapid writer, he rarely stopped a witness, but kept all so closely at work that order became a prime necessity. He had no superior as a *nisi prius* judge.

Hon. James Barrett, for many years one of Judge Poland's associates at the bar and afterward upon the bench, thus writes concerning him :

"In thirty years' conversancy with the bench and bar of Vermont, it has not been my fortune to know any other instance in which the presiding judge in his *nisi prius* circuit has been so uniformly, and by the spontaneous acquiescence of the bar so emphatically 'the end of the law' in all things appertaining to the business of these courts. As judge in the Supreme Court sitting in banc, his adaptedness to the place was equally manifest. His mastery of the principles of the law, his discriminating apprehension of the principles involved in the specific case in hand, his facility in developing by logical processes and practical illustrations the proper applications and results of these principles, are very strikingly evinced in the judicial opinions drawn up by him, contained in the Vermont reports. His memory of cases, in which particular points have been decided, is extraordinary, and this memory is accompanied by a very full and accurate apprehension of the very points and grounds, and reasons of the judgment. Some of the cases in which he drew the opinion of the court stand forth as leading cases, and his treatment of the subjects involved ranks with the best specimens of judicial disquisition."

Among the doctrines discussed and settled by leading cases above referred to are the power of eminent domain, or the right to take private property for public uses, and the proper extent and limitation of that power; the adoption of the common law of England by the United States; the subject of easements; the constitutionality of retroactive statutes; the acquirement of title by adverse possession; to what extent promises to pay the debt of another are governed by the statute of frauds. Judge Poland's opinion upon the extent of the constitutional power of the state to authorize its soldiers in camp to vote was regarded as a settlement of that vexed question, and was followed by several states.

The sentiment of the bar was well embodied in the remark of a distinguished jurist of Vermont upon the appointment of Judge Poland to the senate: "The state, so far as her interests depend upon the character of her courts and their administration of the law, has suffered irreparable injury by the transfer of Judge Poland from the chiefship of her judiciary to a seat in congress."

Since his retirement from the bench, Judge Poland has kept up his connection with the judiciary by appearing as counsel in important cases before state and federal courts. Since the formation of the National Bar Association he has been chairman of its executive committee. Although in his early career he had given himself somewhat actively to politics and was an influential member, first of the democratic party, and later of the free soil party, which in 1848 selected him as their candidate for lieutenant-governor, on being elected to the bench he withdrew from active participation in party politics, yet in his principles and acts, so far as they were called out in the exercise of his judicial functions, he was loyal to the principle of free soil and free men, and became identified with the republican party upon its formation, and has ever remained devoted to the principles in support of which that party was called into existence.

In entering again into political life as the successor of Judge Collamer in the Senate of the United States, he displayed the same eminent ability, sound judgment, and fearless advocacy of what he deemed right, which had marked his course and inspired the confidence of his associates in his earlier career. He at once began that career of usefulness which has marked his whole public life, and made him eminent as one of the most indefatigable workers

among our public men. Being placed upon the judiciary committee, the bankrupt bill which had been passed by the house was intrusted to his care. The judiciary committee were about equally divided upon the question of the expediency of the measure. The skillful management and the large personal influence of Judge Poland secured its passage.

The measure for which Judge Poland is entitled to the greatest credit, as having been its originator, and as having during the ten years he represented the state at Washington, had the entire supervision of its progress and completion, was that of the revision of the United States laws. Hon. Loren Blodgett in an address delivered before the social science association at Philadelphia in 1875, spoke of this work as follows :

"Early in the first session of the thirty-ninth congress, 1865-6, Hon. Luke P. Poland, the Senator for Vermont and a member of the judiciary committee of that body, introduced a bill for the revision and consolidation of the statutes of the United States, which was passed by the senate, April 9, 1866, by the house of representatives soon after and became a law June 27th, following, substantially without amendment in the form originally given it by Judge Poland. * * * This singularly clear and comprehensive plan was adhered to with almost literal faithfulness to the end—the term of labor required proving much greater than was expected—but in all other respects the foresight of Judge Poland was clearly shown and abundantly vindicated. * * * At this time, as subsequently shown, the real work of verification of the draft, as being truly the unrepealed statutes of the United States, general and permanent in their nature, began at the hands of responsible parties. The house committee on the revision of the laws, of which Judge Poland was chairman, took the report up with the full determination to perfect and enact it into law.

Having originated the whole work while a member of the senate in 1866, and followed it as the chief director of all subsequent proceedings in both houses of congress for seven years, Judge Poland had an interest in consummating what all regarded as a great work which no other member of either branch could claim. * * *

In all the later work the energy and determination of the distinguished chairman, Judge Poland, were always conspicuous, and it must in justice be said that the final decision as to what was and

what was not the law was his own, and not the commissioners or any one of them. His able associates of the committee shared in responsibility, but none took the leading part. And the house to which he made the report at intervals, as enough of its verification should be completed for its action in all cases, sustained his report.

The Senate, still more indisposed to review his work, enacted the revision in a body precisely as it came from the house, and the whole became the law June 23, 1874, without amendment, from the report of the committee on revision."

With reference to the extreme difficulty of the work of revision, the same eminent authority adds: "The work of deciding was to a great extent judicial in its character, with the additional difficulty of being required to construe a statute without a case and without argument. * * *

No test so severe, both as to familiarity with the ordinary construction of these statutes and as to legal discrimination in regard to the intrinsic incompatibility of acts which had successively overlapped each other for nearly a century, without codification or specific repeal, has at any time been applied to a body acting with the necessary haste of a committee in congress during an active session. Indeed, under no circumstances and at no time has a like effort been made."

* * * In reviewing the work of this revision or codification, it is impossible not to accord it a rank quite distinct from, if not higher, than any previous work of the kind known to history. * *

To arrange, or rather re-arrange the statutes enacted over so long a period, according to the subjects treated and in all the detail which the diversity of chapters and sections in each act requires in their relation to different subjects of legislation, is alone a great task. Still more difficult is the adjustment of conflicting laws and the elimination of all that is repealed, because it is inconsistent or incompatible under the changed circumstances as well as the changed text of later legislation. What was actually done in the present case was sufficient to invoke the very highest degree of ability and discrimination in thus judging the law without a case and without argument. Laws are easily decisive and easily construed at the time of their enactment, but the strength that remains in them after the lapse of half a century is often reduced to a very small measure in consequence of a general incompatibility extremely difficult to define."

But when engaged in the very difficult and laborious task of superintending the revision and codification of the acts of congress covering a period of nearly a century, Judge Poland was also conducting investigations of the most voluminous and laborious character which have never been undertaken by any legislative body. He was made chairman of the committee appointed to investigate the alleged outrages committed by the infamous Ku Klux Klan. The evidence presented before this committee filled, when printed, thirteen large volumes. The exposure made by the investigation and report of this committee practically broke up this organization, and was of inestimable value to the republican party at the South.

Judge Poland was also chairman of the very important committee appointed to investigate the transactions of the Credit Mobilier Company. This investigation occupied several months, and the report of the committee was unanimous, and created much excitement in political and social circles at the time. It was sustained by the house, and, in effect, relegated several very prominent members of congress, implicated, to private life.

During the era of reconstruction subsequent to the suppression of the rebellion, Judge Poland was no less conspicuous. As chairman of a special committee appointed for that purpose, he conducted the investigation into the state of affairs in Arkansas. After a sharp fight in the house, the report of the committee, which the chairman supported by a very able speech, was sustained by a majority of seventy, a result which created no little surprise, as the fight had been a very vigorous one, and it was known that the result would be not a little unpalatable to the executive.

Judge Poland also took a prominent part in the discussion of the vexed question of the distribution of the fund received under what is known as the Geneva Award. In a very able speech he advocated the right of insurance companies to the money received by the government for vessels and cargoes destroyed by the rebel cruisers, where the owners had received payment from the insurers.

During the ten years which Judge Poland was a representative from Vermont in the senate and house, no member of either branch of congress was so intimately identified with so many important measures as the distinguished member from Vermont. The quality which commended him to such important positions was not more his eminent intellectual ability than that innate love of justice

which he drank in with the free air of his native state, which had been fostered and strengthened by his long judicial service, and which enabled him to rise above mere partisan considerations and decide each question upon its own merits. It was this quality of fairness, displayed at the outset of his political career, that made him acceptable to both republicans and democrats as the chairman of committees for the investigation of questions the result of which might affect the interests of either of the two great contending parties.

This quality of the man displayed itself at once upon his entering upon his legislative career.

While in the senate a question arose as to the right of Mr. Stockton of New Jersey to a seat in that body. Mr. Stockton was a democrat, and the vote by which he was deprived of his seat was cast wholly by republican senators. Judge Poland was a member of the committee which heard the case, and both advocated and voted in favor of Mr. Stockton's right to his seat.

During his first term in the house of representatives, Judge Poland was a member of the committee on elections. At this early period after the war there were a great many contested seats, and the still intense feeling for the Union and against the rebellion by the republican members made them more than usually partisan in their action. Judge Poland always endeavored to assume a judicial attitude in all such cases, which several times brought him into conflict with his own party.

In 1876 the name of Judge Poland was suggested in many republican papers as a suitable candidate for the vice-presidency. He was himself the chairman of the Vermont delegation to the Cincinnati convention which nominated Hayes and Wheeler, and he presented the name of Mr. Wheeler to the convention, and it has always been conceded that his efforts and influence in the convention procured the nomination of Vice-President Wheeler.

In 1878 Judge Poland was a representative to the state legislature. He was chairman of the judiciary committee of that body, and wielded a potent influence in all the legislative measures brought before the house.

In the reapportionment of congressional districts based upon the census of 1880, Vermont lost one of her representatives.

In 1882 Judge Poland received the nomination for congress upon

the first ballot in the republican convention of the new second district.

In the vigor of mature manhood, in the full and ready possession of vast, varied, political and cognate knowledge, endowed with a vigorous intellect of tried and disciplined judicial abilities and broad statesmanship, he at once assumed the position of a leading member of congress. Though a republican in a democratic house, he secured the passage of several important acts for the relief of the business of the United States Supreme Court. He, together with his associates, has made Vermont foremost among the states of the Union in the influence of her delegation at Washington. In 1850 Judge Poland moved to St. Johnsbury. He was influential in securing the removal of the county buildings to that place, and was chairman of the committee for their erection. From its organization for twenty-two years he was president of the First National Bank of St. Johnsbury. In 1885 he purchased the old homestead of Dr. Page, his father-in-law, at Waterville, with the intention of making it his home. There he now resides.

In 1858 the University of Vermont showed its appreciation of Judge Poland by conferring upon him the honorary degree of Master of Arts, and in 1861 of Doctor of Laws. In 1878 he became trustee of the same university. In 1882 he founded the Westford scholarship in this institution, in honor of his native town.

With those who know him in private life Judge Poland is very popular, his conversation sparkling with wit and genial humor. He was married on the 12th of January, 1838, to Martha Smith, daughter of Dr. William Page of Waterville. By this marriage he had three children. Of these Martin I., the eldest, was educated at West Point Military Academy, and afterwards served as captain of the Ordinance Corps. He died at Fort Yuma, in August, 1878. Mary died in August, 1865, and Isabel is now the wife of A. E. Rankin, of St. Johnsbury. Mrs. Poland died in April, 1853. In 1854 Judge Poland married Adelia H. Page, sister of his deceased wife, who is now living.

NOTE.—This article is made up to some extent from the Biographical Encyclopedia of Vermont.

ALBERT MANSON.

ALBERT MANSON came to Derby in 1837 from "Mansonville" in the town of Potton, P. Q., a village, as we are informed, named after the family of the subject of our sketch. The first winter after coming to Derby, Mr. Manson taught the school at Derby. He then opened an office and engaged in the practice of the law. Mr. Manson only remained until 1839, when he returned to Mansonville.

HENRY FRANCIS PRENTISS.

HENRY FRANCIS PRENTISS, the sixth son of Samuel and Lucretia Houghton Prentiss, was born at Montpelier, Vt., November, 1814. He received an academical education at the academy in Montpelier, and commenced the study of the law with his father at Montpelier. Subsequently to this he entered the office of Hon. Isaac F. Redfield, then of Derby, Orleans county, Vt. He was admitted to the bar of that county at its June term, A. D. 1837, and commenced practice in Derby, and he remained there and at Irasburgh in active practice until the autumn of 1855, when he removed to the city of Milwaukee. While at Derby he was a partner of Stoddard B. Colby. During this time he married Ruth, daughter of Dr. Colby of Derby. In 1847 he was elected state's attorney for the county of Orleans, and re-elected in 1848. In 1860 he was appointed register in bankruptcy for the district in which Milwaukee is situated, and from that time practically withdrew from the practice of the law. He was a well read and able lawyer, with mental characteristics that pre-eminently fitted him for that profession. In person Mr. Prentiss was about five feet nine inches high, and was a man of warm and generous impulses and genial disposition. He died December 2, 1872.

TIMOTHY PARKER REDFIELD.

By HON. L. H. THOMPSON.

THE Orleans county bar is justly proud of its history. It has ever maintained a high standing for ability, learning and integrity. Men eminent as lawyers and judges; men of wide experience in public affairs have adorned its ranks. If, without a

contest like that waged over the birthplace of Homer, this bar is permitted to claim Judge Poland as one of its members, from the fact that he opened an office in Greensboro, Vt., and practiced as an attorney there before he was admitted to any bar, and continued to practice in this county until he was elevated to the bench, it can claim among its members who have become more or less distinguished in public life, a United States Senator, three Representatives to Congress, and a Lieutenant-Governor, besides State Senators and Representatives too numerous to name. Five judges—Davis, Poland, the two Redfields, and the talented and lamented Steele have represented it on the bench of the Supreme Court of this state, and proved themselves among the Nestors of that court.

William Howe, an early member of this bar, was presiding judge of the Orleans county court.

From its ranks have gone forth many able men who have settled in other states, and have there won distinction in their profession. Three such became judges in the states of their adoption. One of its members, the late Judge Isaac F. Redfield, whose patient industry was unsurpassed, won great honor and distinction as a legal writer. It has been said that his legal treatises are more widely known and cited in this country and in England than the works of any other American law writer except Judge Story.

Worthy to rank among the ablest and the best of the brilliant lawyers and judges above mentioned is the subject of this sketch.

Timothy Parker Redfield was born at Coventry, Orleans county, Vt., November 3, A. D. 1812. He was one of twelve children, six sons and six daughters, born unto his parents, Dr. Peleg Redfield and Hannah (Parker) Redfield. The father, Dr. Peleg Redfield, was of English descent, and a grandson of the revolutionary soldier, Capt. Peleg Redfield. He was born at Killingworth, Conn. He settled in Coventry, Vt., in June, 1805, on a farm still owned by his descendants. He was the first settled physician in Coventry and the fourth in Orleans county. His practice was extensive and arduous. Such was the condition of the country and lack of roads that he had to visit his patients on horseback, and not unfrequently on foot through the forests. Although, perhaps, not what can be justly called a brilliant man, he was a man of vigorous mind, sound judgment, and good practical common sense. He stood well in his profession, and was honored and respected by all who knew him.



Wm. P. Redfield

Hannah (Parker) Redfield, the mother of Timothy P., was a daughter of Isaac and Bridget (Fletcher) Parker. She was born in Milford, Mass., November 17, 1785, married at Weathersfield, Vt., in March, 1803, and died at a ripe old age, a few years since, at Coventry, Vt. She was a remarkable woman. She faithfully performed her maternal duties in rearing and training her large family. She also proved herself a worthy helpmeet to her husband in establishing their new home on the hillside of Coventry, and was ever its presiding genius, to whom the husband and children always turned for cheer and inspiration. Possessed of strong character and remarkable intellectual ability, throughout her long life she was a great reader of the best literature of her time. In the current topics and events of the day, she always took a keen interest. Her conversational powers were fine and charming. Separated, to a great extent by her lot in life, from the refinements and social intercourse of educated and refined society, yet such were her attainments, her sterling worth and native sense, that she would have adorned the best society and won admiration for her charming qualities and inherent worth. From her both Timothy P. and Isaac F. inherited the characteristics and mental qualities which, with their industry, brought them well-deserved eminence.

The early life of the family was attended with many of the privations and discomforts which inevitably go with pioneer life. The country was new but full of hope. The elder brother, Isaac F., determined to go to college, and after attending a preparatory school eight months, he entered the freshman class of Dartmouth College, then eight months advanced in their course. No doubt moved by his brother's example, Timothy P. was possessed with a desire to obtain a liberal education. He has aptly described it as "a desire without logical reasoning, an insatiable longing, not from suggestion, but from intuition, to obtain a college education." He fitted himself to enter college as well as his facilities would permit. Then the great question presented itself as to how the expenses of the four years college course were to be paid. He was without means; he could reasonably expect but little assistance from his father, but full of hope and self-reliance, he entered Dartmouth College. By teaching three months each winter he added something to his scanty finances, and now and then a kind friend admiring his courage, helped him to much needed means, so that in

1836 he completed his college course and graduated with honor. During his college course he was a thorough student, ranking among the first in his class.

Immediately after leaving college he entered the office of his brother, Isaac F., as a law student. While pursuing his legal studies he taught for a time at Brownington Academy, taking the place of the Rev. Alexander L. Twilight, an eminent teacher, who for twenty-two years was at the head of that academy. In 1838 he was admitted to the bar, and began the practice of his profession at Irasburgh, Vt. February 6, 1840, he married Helen W. Grannis of Stanstead, P. Q. Four children, issue of this marriage, were born, of whom one only, a daughter, survives.

In 1848 he was senator from Orleans county.

He resided at Irasburgh from the time of his admission to the bar until 1848, when he removed to Montpelier, Vt., and has since resided there.

He was engaged continuously in the practice of his profession from his admission to the bar until he was elected a judge of the Supreme Court of Vermont in 1870. He was successively re-elected judge until the fall of 1884, when he declined a re-election.

From the outset of his professional career he commanded the respect and confidence of the people of his native county, and soon became one of its leading lawyers. From 1856 to 1870 he practiced constantly in the courts of Orleans, Caledonia and Washington counties, being engaged in many of the most important trials. His associates and antagonists at the bar were such men as Judge Poland, Stoddard B. Colby, Lucius B. Peck, Thomas Bartlett, and others of like eminent ability in their profession, who always found him an efficient helper when their associate, and a "foeman worthy of their steel" when their opponent.

As a lawyer Judge Redfield ranks as one of the ablest, and the equal of any in the state. While a student and in the early years of his practice, he became well grounded in the elementary principles of equity and the common law, and thus his mind was illumined by what Lord Coke aptly styles "The gladsome light of jurisprudence." Possessing a fine legal mind, he was thus able in after years, almost intuitively, to form correct conclusions as to the law governing the case under consideration. With Lord Coke, he believed that "reason is the life of the law; nay, the common law

itself is nothing else but reason," and hence he brought his judgment, his sound common sense, and his instinctive sense of justice, as well as his legal learning from the books, into the consideration of his cases. He was never so ardent and untiring a student as his brother Isaac F., yet he read widely and well, and in the trial of questions of fact or of law was always found thoroughly furnished and equipped.

Possessed of an excellent memory, sound judgment, fine reasoning powers, a judicial temperament, and a most subtle intellect, he was safe counsel and a most dangerous adversary. A man once his client usually was always his client. When he left the bar for the bench but few lawyers, if any, in the state, had a larger clientage than he.

As a practitioner at the bar he was self-possessed, cautious, skillful, clear-headed, quick to discern the weak points in his adversary's case and to grasp the strong ones in his own, thus being an opponent who required constant attention. In the cross-examination of witnesses he was skillful. He early learned the "art of silent cross-examination." Never loud nor lengthy, he gave the hostile witness no chance to reiterate damaging testimony, but after quietly eliciting something, if possible, to break the force of the testimony, such witness was quietly and blandly dismissed. Baron Alderson could never have said of him as he is reported to have said to an advocate of great noise and mistaken energy, "Mr. B., you seem to think the art of cross-examination is to examine crossly."

While at the bar, as an advocate he was not surpassed by any lawyer in the state. He impressed a jury with his dignified bearing, his apparent fairness and candor. His face was "like a benediction" to an ordinary jury. He knew them and their fathers before them, and his jury arguments abounded in anecdotes in which they or their ancestors had taken a creditable part. Thus he quietly insinuated himself into their good graces until they were ready to believe that so genial and pleasing a lawyer must be on the right side. He had a happy faculty of marshalling the facts in his favor, and supporting them by cogent reasoning. When arguing a case his manner was usually easy and quiet, and his tone conversational, but when thoroughly aroused he was earnest in manner, spoke rapidly, and in ringing, incisive tones. His skill and power as an advocate unconsciously clung to him after he

became a judge, and at times manifested itself in his charges to the jury or in rendering a judgment. At times he would so present one side of a debatable case as to almost make it seem there was only the side he had thus presented ; then he would make what has been wittily described as an "eloquent pause," after which he would begin with an ominous "but" to marshal the facts upon the other side, and to combine them in so striking and suggestive a manner as apparently to call for a judgment or verdict directly opposite from that suggested by his opening remarks. Of unquestionable integrity through all his life, such was the confidence of the people of Orleans and Washington counties in his honesty and sound judgment that when he commenced holding courts in these counties, the jury in many cases were inclined to render verdicts in accordance with what they deemed to be his views as to a just disposal of the case.

Quite a compliment to his magnetic and persuasive influence over a jury in presenting a cause was given by J. A. Wing, Esq., of Montpelier. The Washington county bar, after Judge Redfield's retirement from the bench, procured a fine portrait of him, and placed it in the court-house where it overlooked the jury box. Mr. Wing was solicited to give something towards the expense of procuring the picture, after it was put up, and replied that he "would cheerfully do so if they would turn the face of the picture to the wall whenever the court was charging the jury."

His reputation as a lawyer, so far as the bar is concerned, will probably rest largely upon his judicial labors, but by the common people he will be kept in remembrance by his fame as a consummate advocate, whose skill and success tradition will embellish and magnify.

In the consideration of legal questions, while on the bench, he displayed keen perception, sound judgment, and a fine judicial poise of mind. His opinions are able, and will prove a lasting monument to his ability and learning as a lawyer and a judge. Comparisons are odious, but it is no disparagement to his learned associates to say that while he was judge, no abler man sat upon the bench of the Supreme Court of this state.

Lord Lyndhurst, while Chancellor of England, in describing the principle upon which he selected a judge, said, "I look out for a *gentleman*, and if he knows a little law so much the better." Judge

Redfield never forgot that one of the requisite qualifications of a judge was good manners.

On the bench he was always a gentleman, and treated the bar with a courtesy which was fully reciprocated. On the bench he never lost his temper or self-control. A difference of opinion on a question of law or fact, between himself and counsel, aroused all his latent intellectual powers, but never disturbed his manners, and the defeated counsel felt that the skillful manner in which he had been cast was worthy to be classed among the "fine arts," that he had been decapitated, not by a butcher's cleaver, but by a Damascus blade wielded by a master's hand.

Judge Redfield is a fine classical scholar. He has also read widely in the best English literature, the beauties and strength of which he keenly appreciates. His tastes are scholarly, and what he has read he has made his own. English history, especially constitutional history and the history of the common law, has always had a charm for him, and by its study he has thoroughly mastered the principles that underlie our own political development, and which are really the basis of our civil polity.

In social life he is a charming companion. Simple in manner and frank in speech, he abounds in anecdotes and reminiscences of the early lights of the bar with whom he was associated or acquainted, as well as of many men prominent in other walks of life.

He has a vein of quaint wit and humor, which causes him instinctively to seize upon and retain the droll sayings and interesting stories which so aptly and forcibly illustrate the public and private life and real character of so many men. This trait of mind is seen in the quaint expressions and anecdotes which sometimes are found in his published opinions, as for instance his description of a horse as having the "historic vice of running away without any occasion," in *Cheney vs. Ryegate*, 55 Vt., and his humorous description in *Wilder vs. Gilman*, 55 Vt., as to what constitutes "good faith," according to the luminous idea of an ordinary justice of the peace.

In politics Judge Redfield has always been a democrat. He had the honor of being elected to the bench by a republican legislature. It is needless to say that a man of position and intelligence who has been a democrat in Vermont for the past twenty-five years, has

been so from honest convictions and principle. It is probably well for his standing as a lawyer that he has belonged to the minority in politics, as otherwise, without doubt, he would have been drawn into political life. In 1884 he was the democratic candidate for United States Senator against the Hon. Justin S. Morrill, the republican candidate.

Judge Redfield had long entertained a desire to visit England and the continent of Europe. On account of poor health he took this trip in the summer of 1883. He visited England and France, and spent the following winter in Italy. From the latter country he wrote a series of interesting letters, which were published in the *Argus* and *Patriot*.

For many years Judge Redfield has been a worthy communicant of the Episcopal church.

He has led an exemplary life, free from the habits and vices which so often tarnish the otherwise fair fame of public men.

In the quiet of his beautiful home he now enjoys, in "an old age, serene and bright," the well-earned leisure of a well-spent life. May the years bring him honor and peace, and when at last he joins the unseen band of the friends and companions of his youth, and of his early and later manhood, who now "rest from their labors," may it truly be said of him :

"How well he fell asleep !
Like some proud river widening
Towards the sea,
Calmly and grandly, silently and deep,
Life joined eternity."

STODDARD BENHAM COLBY.

By HON. T. P. REDFIELD.

STODDARD BENHAM COLBY was the second son of Hon. Nehemiah Colby, and born in Derby, January, 1816. He was fitted for college in the law office of the late Isaac F. Redfield, which stood near his father's store in Derby Center. Mr. Colby was an apt and ready scholar, and Judge Redfield then fresh from college, gave him a thorough training, especially in the Greek and Latin languages, in which his young pupil had special aptitude. He entered Dartmouth College in the fall of 1832, and graduated with

high honor in 1836. He studied law in the office of the late Senator Upham in Montpelier, and was admitted to the bar of Orleans county at the December term, 1838, and at once commenced practice at Derby, where he remained until 1846, representing the town of Derby in the legislature in 1841. In 1846 he removed to Montpelier and formed a copartnership with the late Lucius B. Peck, under the firm name of Peck & Colby, and so continued until 1863, when Mr. Colby was made register of the treasury and removed to Washington. He held that office until his death. Mr. Colby was a ripe scholar, a facile and ready speaker, and from the first his manner at the bar was elegant, and his language choice and beautiful. He had a voice of peculiar compass and melody. He at once took high rank as a brilliant and accomplished advocate. He possessed a lively and vigorous imagination, and invested ideas and incidents with such charming beauty that a court or jury became insensibly and irresistibly enlisted and absorbed in the investiture with which he clothed a case. This was no studied ornamentation, but the natural outpouring from that rich treasury which was entirely his own, and inexhaustibly full. He never essayed the emotional, and never addressed the passions of men, but he charmed them with the beautiful, and disgusted them with what was degrading and hateful, thereby enlisting their affection for the one, and arousing their contempt for the other, and by that he made sure their judgment. As a brilliant advocate he had no peer among us, and the profession suffered an irreparable loss when he was transferred to the service of the government. His great powers had a natural adaptation to his chosen profession, and his honor and his fame must rest there. It is a matter of regret, and we think on his part a mistake, that he ever left the profession. Mr. Colby in every emotion and in every fibre, was intellectual and spiritual. He had an utter dislike and contempt for all that was gross, sensual and degraded. His fidelity to the sacred trusts of social and domestic life was not a mere matter of policy, but of fixed duty. This made the ties of domestic life strong.

He married in his youth Miss Harriet C. Proctor, the eldest daughter of the Hon. Jabez Proctor of Proctorsville, Vt., and sister of Gov. Proctor, the present royal manager and large owner of the great marble industries of this state. By this marriage he had four

children ; two died young. The eldest daughter, Laura, is the wife of Col. A. B. Cary of the United States army. Jabez Proctor Colby is still living. Mrs. Colby was the most lovely of women, and lost her life in the ill-fated steamer, Henry Clay, which was burned on the Hudson on its passage from Albany to New York. This sad calamity and bereavement overwhelmed Mr. Colby with great grief. On this occasion the press reproduced and published the verses that Mr. Colby had written upon the death of his class-mate, David Scott 'Sloan, who perished in like manner by the burning of the "Erie" on Lake Erie a few years before. For Mr. Colby was both an orator and a poet, and to show his taste and versatility it is here inserted.

BURNING OF THE ERIE.

She sails to-night, that gallant bark,
How proudly greets the air ;
Oh, bear thee well, bold, daring ark,
Rich gems are periled there.

High hopes, fond prayers surround thy prow ;
Heed well, the parting tear,
Glad homes, gay hearts are saddened now,
How full of truth is fear.

What cherished ones are there enrolled ;
Love's perfect, greenest spring,
Whose tendrils twined through half the world,
Around that frail boat cling.

Scarce faded from the anxious sight
Echo the last " God speed," returns
A flash, a flame gleams on the night,
Oh, Heaven! *The Erie burns!*

Ah! virtue, talent, beauty, worth,
Must *ye* all perish there ?
Look now aloft, trust not in earth,
Its hopes but mock your care.

They're lost, they're gone, great God defend
The bleeding, bursting heart,
Thine only is the power to send
The grace that bids despair depart.

We leave the wreck, but shall we trace
The march of this dread blow ?
Mark crushed affection's pallid face
Where tears unbidden flow ?

The story flies, day after day,
 The Erie's ruthless fate ;
 Tie after tie is burst away,
 And homes and hearts are desolate.

But enter not grief's solitude,
 It seeks not sympathy ;
 There is no heart so hard, so rude,
 Can paint its agony.

*Must I, too, for that offering lend
 A treasured sacrifice ?*

My generous, virtuous, manly friend
 With Erie's dead now lies.

Friend of my youth ; I see thee now
 On that stern funeral pile,
 Calm resignation on thy brow
 Betokening Heaven's smile

Ah, Sloan ! we thought not thus to part,
 When from our college home
 We rushed on Fortune's busy mart,
 Eager for Fortune's doom.

Classmates ? our brother's course is run ;
 That spirit, noble, rare ;
 The battle fought, the victory won,
 Has found a Life-boat there.

After several years Mr. Colby married Miss Ellen Hunt, a lady of much accomplishment and decided scholarship, and by this marriage had two children—Ellen, now the wife of Mr. Stokes of New York City, a very estimable and beautiful lady, and Frank, a scholarly lad of decided promise, now about to enter college. He was ever happy in his domestic relations, and charming in social life.

His transfer to public service in Washington was never quite congenial to his tastes, but it enabled him to be acquainted with public men, and many that figured conspicuously in the great conflict then about to begin. This acquaintance was not only gratifying to him, but stored his mind with knowledge of men, and of incidents by which he hoped to reap advantage in the long life that was apparently before him, so far as is in the reach of human ken. He came to New Hampshire at the home of his kinsman, Mr. Woodard, early in August, 1867, for a few weeks' sojourn and rest, when

“The summons came to join
 The innumerable caravan that moves
 To that mysterious realm.”

He died at Haverhill, N. H., on the 21st of October, 1867, and was buried in that ancient cemetery on the slope of the hill overlooking the valley of the Connecticut, the scene of his college life and professional labors. Mr. Colby was for many years a consistent member of the Protestant Episcopal church, and his personal character was without "spot or wrinkle," and he died looking for the resurrection of the dead "and the life of the world to come."

"Green be the turf above thee,
Thou friend of my better days."

NORMAN BOARDMAN.

NORMAN BOARDMAN, the son of Osias and Lydia Whitney Boardman, was born at Morristown, Vt., April 30, 1813. His parents emigrated, the former from Connecticut and the latter from Massachusetts as early as the commencement of this century, settled and lived on the same farm until they died in 1843. In his youth Norman was employed in working on his father's farm, and attending the district school. This continued until he was seventeen, when he engaged in teaching during the winters, but still made the farm the base of his operations until he was twenty, when he attended the academy at Johnson, and there graduated, the principal then being Perry Haskell. He did not enter upon the study of the law very early in life, but engaged in school-teaching and farming until his twenty-fifth year, when he visited the West as far as Missouri, where he taught school. He soon returned to Vermont and entered upon the study of the law with Harlow P. Smith at Hydepark, and at the end of one year entered the office of John Smith at St. Albans, the father of Hon. John Gregory Smith, ex-governor of Vermont. He remained there but a short time, but continued his law studies with Smalley & Adams, where he could be self-sustaining. While in their office he also attended the law lectures of Judge Turner. He was admitted to the Franklin county bar at its September term, 1839. On the first day of November, 1839, he opened an office at North Troy, Vt., but only remained there until spring. Finding that South Troy was more central for the business of the Missisquoi valley he removed to that place, and continued in the active practice of the



Herman Boerelman

law until June 1, 1853, when he removed West. The only attorney in the Missisquoi valley when Mr. Boardman settled there was Samuel Sumner at South Troy, a middle-aged man, who had been there several years and had a very good business, bringing nearly all the suits in that vicinity. By close application and hard work Mr. Boardman soon gained his share of the business, not only in the valley but the whole county, and after a short time he was on one side or the other of every case of any note coming from that section, and this continued as long as he resided there. In 1847 Mr. Boardman was appointed deputy collector of customs, and in 1850, under the amended constitution allowing the state's attorney of the county to be elected by the people, was elected to that office as a democrat by four majority, although the whig party had a majority in the county of more than one hundred and fifty, John L. Edwards of Derby Line being the whig candidate against him, and the next year Mr. Boardman only failed of a re-election by sixteen votes, William H. Dickerman, one of the most popular attorneys in the county, being the successful candidate. In 1864, on the passage of the Nebraska bill, Mr. Boardman left the ranks of the democracy, and has voted with the republican party since. When Mr. Boardman left the county in 1853 he intended to settle in Iowa that same year, but leaving his family at Potsdam, N. Y., he proceeded to Iowa and invested to some extent in lands, returning to New York in the fall with his health somewhat impaired. Having a good offer for business he concluded to abandon his idea of the West, and contracted a law partnership with Judge William A. Wallace of Potsdam. The population of Iowa rapidly increased, and the value of its lands were greatly enhanced. Hence in September, 1855, Mr. Boardman was led to remove to Lyons, near his former purchases, where he has since resided, giving his whole attention to the real estate business, in which he has been very successful, accumulating a goodly competency. Mr. Boardman has always taken a leading part in the affairs of his city and county, and has been honored with places of responsibility and trust.

He was elected to the state senate in 1861, and in May, 1869, was appointed United States revenue collector for the second district of Iowa, positions which he filled with credit to himself and the country.

JOHN HOLMES PRENTISS.

JOHN HOLMES PRENTISS, the fourth son of Samuel B. and Lucretia (Houghton) Prentiss, was born at Montpelier, Vt., February 10, 1811. Of the family, the Vermont Historical Gazetteer says: "His father, Hon. Samuel Prentiss, was born at Stonington, Conn., March 31, 1782. His family, of a pure English and Puritan stock, are traceable as far back as 1318 through official records, which show the reputable positions occupied by branches of the family till they came to New England, where the lineage at once took stock among the best in the colonies. In direct descent he was the sixth from his first American and English born ancestor, Capt. Thomas Prentiss. Born in England about 1620, he became a resident of Newton, Mass., in 1652, was a noted cavalry officer in the King Philip war, and died in 1710, leaving Thomas Prentiss, Jr., father of Samuel Prentiss 1st, father of Samuel 2d, who was a colonel in the revolutionary army and father of Samuel 3d, a physician and surgeon in the army and the father of Judge Samuel of Montpelier, the father of our subject. The whole stock of the Prentiss family was good, but this branch was particularly so, both physically and intellectually. Col. Prentiss of revolutionary memory, six feet high, weighing over two hundred pounds, without corpulency, was one of the best built, most muscular men of the times; and the different members of the family descending from him, for the last two or three generations, of which those now living have been cognizant, will be remembered to have been, with a rare uniformity, well-formed, shapely and good-looking, possessing an unusual intellectual capacity and power." Samuel B., the father of our subject, having been educated for a lawyer, went to Montpelier, Vt., early in 1803, and opened an office, which was ever after to be his home, and the central point of the field of the splendid professional success which he was destined to achieve. John H. attended the public schools and academy of Montpelier. He went while yet quite a young man to Boston to engage in mercantile pursuits, where he remained a few years, but his inclinations being more towards a professional life he returned to Vermont, and entered upon the study of the law in his father's office at Montpelier, and was admitted to the bar of Washington county at the November term, A. D. 1835, and to the Supreme Court at the March term, 1838.

When living in Boston he gave much attention to the study of political economy, and he received a diploma from the society for the diffusion of useful knowledge for the best essay upon the tariff, which was delivered to him by Daniel Webster, the president of the society, in a public meeting.

After his admission to the bar he remained in his father's office until about 1839, when he went to Irasburgh, where he had a brother Charles W. Prentiss in the practice of the law. The following is from the pen of Judge Timothy P. Redfield, who was in practice at that time at Irasburgh, and who knew Mr. Prentiss intimately: "When John H. Prentiss first came to Irasburgh he was engaged in the foundry business. When the foundry business was closed up, John H. opened an office at Irasburgh for the practice of law, and he remained in active practice there until he removed to Minnesota. He was a good advocate, very tenacious and persistent. He was a good scholar and well learned in his profession, and conspicuously learned in the Bible and in Shakespeare. In these text books he was never at sea, though he might trip in Blackstone or Chitty. He is remembered to have not only made telling points against his adversary, but to have entertained and instructed the Supreme Court by his easy and familiar reference to the Bible and to Shakespeare by way of illustration. He had ready wit, and to gratify the young men of the bar he was often solicited to repeat the earnest speech of the old soldier democrat out in Arkansas, who had fought under Jackson at New Orleans, in convention convened to alter the constitution. He hated federalism, and fancied the hated party had inspired the project to alter the constitution. A fragment of that speech is recalled: 'When I was fighting the battles of our country under the patriot Jackson in mud, blood, and dirt to the waist, where then was Daniel Webster? Down there in Boston town writing his d—d old federal dictionary. Now alter the constitution, will you, d—n you?'

Mr. Prentiss will be kindly remembered for his garnered knowledge and rich attainments." Failing health compelled him in the winter of 1869 to relinquish his practice, and in the hope of restored health he removed to Minnesota, where he passed the remaining years of his life quietly. His death took place at Winona, September 28, 1876.

WILLIAM H. MARTIN.

By GEORGE P. MARTIN.

WILLIAM H. MARTIN was born in Underhill, Vt., May 6, 1813. His education was obtained wholly at the district school and the academy in Johnson, where he was in attendance a short time. He pursued his legal studies with a Mr. Pike of Johnson, supporting himself meanwhile by teaching district and singing schools, and began the practice of law in Glover in the autumn of 1841, immediately after his marriage to Miss Salome Allen of Johnson. After two years, during which time he built up a good business and was once elected town representative, a succession of severe pulmonary hemorrhages led him to try a change of climate, and he went to Alabama, where he spent six years in teaching. Although his health was not fully recovered, he then returned to his native town, and traveled in Vermont and Northern New York selling patent medicines. He represented Underhill for one term in the legislature, and spent the last two years of his life on a farm in Eden, where he died of consumption from whose ravages he had so long suffered, August 15, 1856. He left a wife and six children. The widow and two children, the third son, Oliver, and the only daughter, Clara Salome, have since followed him into rest. Of the four who still survive, William A. resides in Houlton, Maine, George P. in Plattsburgh, N. Y., Elon O. in Hinesburgh, Vt., and Frank E. (whose name was changed to Woodruff by legislative act), in Andover, Mass:

JOSIAH A. FLETCHER.

THE subject of this sketch was born in Wheelock, Vt., in 1814. He prepared himself for college at the common schools and Lyndon Academy. He took a full course at the University of Vermont. He pursued the study of the law in the office of Jessie Cooper of Irasburgh, and was admitted to the bar of Orleans county at the June term, 1842. In 1843 he was married to Miss Almira Kellum, daughter of Hon. Sabin Kellum of Irasburgh, and soon afterwards opened an office for the practice of his profession at Glover. Mr. Fletcher was a man of great energy in his profession, and perhaps it may be said of him that he had more energy than

discretion. About the time he located in Glover, a very large amount of law business for that section of country sprung up, in which he became interested as counsel, and in some way he very frequently became interested pecuniarily in his client's cause. Mr. Fletcher was a man that always looked upon the bright side of his client's cause. He apparently had no doubt of its justness, and espoused it vigorously, and had he possessed more discretion it is quite likely he would have met with good success. For a year or two he brought more cases upon the docket of Orleans county court than any other lawyer in the county, but he had not calculated closely as to their merits, and the result was what usually follows in such cases. He had evidently tried to do too much, supposing that success lay in the great number of cases he could bring into court.

Mr. Fletcher's great mistake was such as is quite often made by young lawyers, who are unwilling to wait until their industry has earned for them a valuable permanent reputation. After practicing law at Glover a few years he went to Derby Line to reside, remaining there, however, but a few months. Mr. Fletcher's professional career virtually ended with his residence in Glover. In 1854 he went to California, where he died in 1875.

EDWARD A. CAHOON.

By GEORGE W. CAHOON, ESQ.

EDWARD A. CAHOON, the son of Hon. William Cahoon, was born at Lyndon in the year 1818. After receiving an academical education he became a student of the University of Vermont, where he graduated in 1838. He studied law with George C. Cahoon at Lyndon, and was admitted as an attorney of Orleans county court at its December term, A. D. 1842. Immediately on his admission to the bar he formed a copartnership with George C. Cahoon, and continued his partner until 1850. He continued in the practice of his profession until he was elected cashier of the Bank of Lyndon at its organization. He was elected state's attorney for the county of Caledonia in 1854, and again elected in 1855. He held the office of state senator for the years 1856 and 1857. He was elected one of the presidential electors in 1860—Lincoln's first election, and was chosen messenger to carry the

vote to Washington, as was his father, who was a presidential elector at the election of James Madison. Edward A. Cahoon was elected one of the council of censors in the year 1862. He continued the cashier of the Bank of Lyndon until his health failed him. He died of consumption in 1862, aged forty-four years. In the practice of his profession he was very successful. His education, his ability, and pleasing address made him popular and strong as an attorney and advocate. But before he had hardly attained the prime of manhood, he began to feel the effects of the disease that finally caused his death. And although he loved his profession of the law, its duties were too laborious for his state of health, and he consented to take the place of cashier of the Bank of Lyndon, where he labored as long as strength lasted.

DAVID CHADWICK.

By HON. CHARLES CARPENTER.

THE subject of this sketch was the son of a well-to-do farmer, in or near Worcester, Mass. He came to Vermont and went into trade at Derby Line, where he remained a short time, when he bought out the stock of goods of Ira Richards at Charleston, in 1825. He conducted a very successful business until he attempted to build a large tannery, which is now the grist-mill at West Charleston. This caused his failure in 1832 or 1833. He then commenced the practice of law in a small way at Charleston, and was admitted to the bar of the Orleans county court at its December term, 1842. He was a social, genial man, and a good talker. He went from Charleston to Burke, where he spent the remaining years of his life. He married Mary Hinman of Stanstead, P. Q., by whom he had two daughters.

JOHN L. EDWARDS.

By HON. GEORGE N. DALE.

JOHN LINDSLEY EDWARDS was born at Walden, Vt., August 27, 1819. His father, Timothy Edwards, was born in Haverhill, Mass., in 1773, and removed to Walden, Vt., in 1794. That year he married Nancy Gilman of Gilmanton, N. H., and by her became the



John S. Edwards

father of thirteen children, John L. being the eleventh. His early life was spent on the farm and at the district schools, where he acquired those frugal and industrious habits which have ever since attended him. He fitted for college at Newbury Seminary, and entered the University of Vermont in 1840, and remained there one year, when his desire to study law led him to enter the law office of the late Hon. Stoddard B. Colby of Derby, from which he was admitted to the bar of Orleans county at the June term, 1843. Opening an office in Brownington over the "Stewart store," so called, he remained there until January, 1844. His business promised to be of more than a strictly local nature, and he then removed to Barton, and from thence to Derby Center in October, 1845.

At the latter place he formed a copartnership with William M. Dickerman, a young man of unusual promise, under the firm name of Edwards & Dickerman, which continued about two years. At its termination Mr. Edwards continued alone until the spring of 1859, when he was associated with Gen. S. W. Slade of St. Johnsbury, for a short time, doing an extensive business in Orleans, Caledonia, Essex, and other counties, as he did before and after that partnership. In the fall of 1857 he went into business with Judge E. A. Stewart, as Edwards & Stewart. In 1864 that partnership business was closed out, and another one formed with Hon. J. E. Dickerman, under the old name of Edwards & Dickerman, which has since continued, John Young entering the firm in 1881. In politics Mr. Edwards was a whig until 1856, since which time he has been in accord with the democratic party.

He was appointed state's attorney for Orleans county by the legislature in 1850. He was a member of the constitutional convention in 1850 and 1857, and of the council of censors in 1862. In 1867-8 he was a candidate of the democracy for the office of governor and for member of congress in 1874 and 1876. In these campaigns his local popularity was strikingly manifested. In 1872 he was appointed register in bankruptcy, and held the office until the law creating it was repealed.

While in that position his decisions were carefully considered, and much respected by the courts in obedience to which he acted, and held in high esteem by the bar. In make-up the subject of this sketch is a tall, spare man, with features prominent, yet not gross, rather indicating a delicate organism. I cannot better

describe his appearance or motions than to say that they are suggestive of a wavy, curving grace, being quite easy and elastic in his address, creating no impression of abruptness. His hair is now, at sixty-six years of age, jet black, and (in singular contrast with his face) looks darker than it did even in his younger days. He is dignified and reserved, yet affable and blandly congenial.

His nice literary taste almost borders on fastidiousness, and yet he is a plodding, practical man. He takes in the details of a case rather slowly, but when it is all discovered to the mind's eye the picture is complete with every feature distinct and well adjusted. I have known him in instances of great haste to perform intricate and difficult work with most remarkable rapidity. But generally he is deliberate, considerate, and very cautious. He excels as a special pleader, being happy in formulating legal propositions so as to meet every issue and point made by his opponent. He states the law or a fact so that the statement will be correct, as well as the conception of it in his mind.

The remarkable aptness of the man in stating a case, and his skill in the use of language so as to give clearness and comprehensiveness to the details, renders him efficient as a chancery lawyer, and one of the most desirable of referees.

No man at the bar is more genial and full of jest in the amenities of professional life, and although possessed of lively and healthy prejudices, at times most satirically flavored, he generally manages to detach them from himself and make them a part of his case, in which he often uses them in lightning thrusts, which leave traces of the life-blood of the "other man's case" on his cutting and almost noiseless sentences, e. g.: On one occasion the interest which he represented charged that a guardian had abused his wards, and among other things that the little children had actually suffered from want of food. It was replied that all their wants were supplied, and that great care had been bestowed upon them, even to teaching them the little exercises of children's prayer. "Yes," said Mr. Edwards, with the keenest and quietest irony imaginable, "With what fervency and religious appetite those poor little children must have repeated those prayers, especially this clause, 'give us this day our daily bread.'"

As a jury advocate this man is very insinuating, always going with grave features, temperately, warily and skilfully. If he fails

to convince the jury he secures their respect, and the interview is always mutually pleasant. He is never boisterous. From him there are no sudden bursts of eloquence, but only that his keen pure style at times is fired with an ardor corresponding to its kind. It is of the delicate and sensitive type. One of the chief respects in which he excels as an advocate is in presenting the most ingenious grouping and arrangement of facts and circumstances. His peculiar genius is probably at its best when dealing with circumstantial evidence, which he arranges in the most formidable manner, and which he runs through reviewing and rearranging *a priori* and *a posteriori* backward and forward in such a quiet and ingenious manner as to make it the most convincing, and whether successful or otherwise, he seldom fails to elicit the admiration of his auditors.

He goes to the cross-examination of witnesses with a thorough knowledge of the details of his case.

He artfully conceals the design of his examination, so that the witness will unconsciously throw off any partisan attitude, and permit him to mould the most favorable features of the evidence to the purposes of his case.

Although absorbed by the practice of his profession to which he is as entirely devoted as his health will allow, it never has betrayed him into exclusively materialistic thoughts. I mean that the fine fancies of his life are not lost in its dull realities. Although he is from his manner of life and occupation a matter of fact man, amid his prosaic work he still retains his poetic fancies. I heard him recently, in denouncing some abuse of legal authority, repeat the following:

“ Man, proud man ; dressed with
A little brief authority,
Most ignorant of what he's most assured.
His glassy essence, like an angry ape,
Plays such fantastic tricks before high heaven,
As make the angels weep ! ”

with all the zest and fancy of a poet born. This is so characteristic of the man that I may be pardoned this abrupt reference to it. The trend of his mind runs not to the ideal, and yet in discussing literature he is as likely to weave into the conversation something like

“ One morn a Peri at the gate
Of Eden stood, disconsolate,” etc.,

as anything else. It was doubtless a misfortune that he was held to life by an uncommonly brittle thread, especially in his earlier years, but it was what was required to develop just the man he is. Fearing to confine himself to his office, and reluctant to remain idle, he has devoted considerable time to building residences, which he has done with such skill, taste and economy, that while it has been a pastime and physical restorative, it has been profitable mentally as well as otherwise. He often boasts in a modest way of his architectural and agricultural attainments. His enterprise in this direction has not been narrow or selfish, as evidenced by his interest and active services in building and maintaining the Derby Academy, the state library building, as a member of the committee on its location, and in the planning and erection of the new court-house at Newport. But I forget that I am to write of him as a lawyer, who accomplished much in life, and of whom I am expected to write truthfully and to estimate him according to my best judgment and ability, for history should be truth or silence.

But this much is fact, that he loves the purities of law and regards it as among the very highest orders of science. He has come to be possessed of a legal mind among the finest in the state, and has been identified with some of the most important litigation therein.

He has drawn that "brief" into as huge a volume as the brightest hopes could ask.

He was married December 11, 1847, to Miss Elizabeth C. Brigham, daughter of Silas Brigham of Brownington. Having no children of their own, they adopted Nellie L. Dorman when she was about eight years of age, constituting her a member of their family by the name of Nellie. Thus has his success been crowned with most fortunate and harmonious domestic relations.

May he long continue to grace and enliven that bar of which he is one of the eldest and most honored members.

Palman qui meruit ferat.

WILLIAM M. DICKERMAN.

By HON. JOHN L. EDWARDS.

WILLIAM M. DICKERMAN was born in Burke, Vt., August 13, 1820. Soon after his birth his father, Dr. Dickerman, removed to St. Johnsbury, where he resided till a short time before his death, which occurred at his daughter's residence in Keene, N. H., in 1869.

Here at St. Johnsbury William M. received his common school education. In the fall of 1837 he became a student at the Newbury Seminary when that institution was in the height of its usefulness. At this time the institution numbered very many advanced students, large numbers of whom were annually fitted for college under the instruction and supervision of the Rev. Charles Adams and the Rev. Osman C. Baker, afterwards Bishop Baker. Among this large number of accomplished scholars, none gained a more enviable reputation than young Dickerman. He was a hard worker and very soon stood among the first in his class. It was difficult to tell in what particular branch of learning he most excelled, for he was uniformly excellent in all. He had a great natural talent for debate, and at this institution he cultivated it assiduously. His voice was naturally very heavy and bordering upon harshness, but there was a power in it, which, backed up by logical ideas, never failed to interest and convince his hearers. In these scholastic debates he shadowed forth the coming man.

Mr. Dickerman remained at this institution, except during the winter season when he was engaged in teaching, until the summer of 1840 when he entered the University of Vermont at Burlington. Although as a scholar he was rarely excelled, yet his mind was constantly reaching out for something practical. He seemed anxious to get out into the practical business world, and stimulated doubtless in this direction by his meager finances, he severed his connection with the institution in 1841 and immediately entered upon the study of the law which he had long contemplated. He entered upon the study of the law in the office of the late Stoddard B. Colby at Derby, and after the usual course was admitted to the bar in 1843. After that Mr. Dickerman practiced law on his own account in Essex and Caledonia counties till the fall of 1845, when he entered into partnership with John L. Edwards at Derby, Vt.

This partnership continued for a little over two years when it was dissolved, and Mr. Dickerman opened an office at Coventry, where he married Eunice D. Boynton of that town, November 21, 1847.

Mr. Dickerman had quite a taste for agriculture and at one time came very near leaving the practice of law and taking up agricultural pursuits. But his numerous clients would not allow him to do this. His services as a lawyer were in too great demand. More business came than he could well do, and eventually his arduous endeavors to serve all his clients broke down a naturally vigorous and strong constitution.

Mr. Dickerman was a representative from the town of Coventry in the legislature in the years 1849 and 1850. He held the position of assistant secretary of the senate in 1851 and 1852. He was elected by popular vote state's attorney for the county of Orleans in 1852 and 1853.

As a lawyer Mr. Dickerman always took a broad view of his client's cause. He disliked to be trammelled with technicalities. He readily saw and appreciated the strong equities of his case, and brought everything to bear in that direction. His great knowledge of human nature, with a large practical knowledge of every day affairs and a strong instinct for the right, made him a most formidable competitor before a jury. His great talent for debate, manifested in his school-boy days, showed itself admirably in after years before the jury.

At the time Mr. Dickerman came to the bar the legal profession in Orleans county stood very high, and no man could take a position at that bar without earning it. His competitors were such men as Judge Timothy P. Redfield, Stoddard B. Colby, E. G. Johnson, Charles W. Prentiss, John H. Kimball, Samuel Sumner, Judge Paddock, N. S. Hill and Jessie Cooper, while from abroad were Judge Poland, Benjamin Smalley and Thomas Bartlett, and many others worthy of note. These all stood in advance of the young lawyer when he came to the Orleans county bar. It was not long, however, before Mr. Dickerman found himself side by side with these learned gentlemen in the advocacy of causes.

He threw all his energies into his case and really sacrificed himself for the cause of his client.

As a debater in the legislature Mr. Dickerman had few equals. He maintained a commanding influence in the disposition of the

business, and created a wide circle of acquaintance throughout the state, by whom his early death was greatly lamented.

In 1854 his health gradually gave way to such an extent that he abandoned business entirely, and about 1857 removed to Manchester, N. H., where he died on the 14th of April, 1859. His remains now repose in the family burial ground at St. Johnsbury, Vt.

CHARLES H. PARKER.

By W. H. PARKER.

CHARLES H. PARKER was born at Cambridge, Vt., about the year 1825. He was the son of Maj. Thomas Parker, a man of more than ordinary ability. He obtained his education at the common schools of his native town. After he attained his majority he studied law with Samuel Willard, Esq., at Morristown, and commenced practice at North Troy, Orleans county, Vt., where he remained in active practice until August, 1847, when he removed to Janesville, Wis., and from there to San Francisco, Cal., where he now resides, and there entered into a law partnership with F. Waterman, formerly from Johnson, Vt. Mr. Parker is an able and well-read lawyer, and his practice and speculations have been very remunerative, and it is understood that he has amassed a large fortune.

WILLIAM T. BARRON.

ABOUT the early history of the subject of this sketch I have been able to learn but little, except that he studied law in Derby, and was admitted to the Orleans county bar in 1844, and commenced practice at Irasburgh, Vt.; that he removed from there to Guildhall, and was in active practice there until about 1850. According to the Vermont Historical Magazine he was state's attorney for the county of Essex for the years 1845 and 1846. About 1851 he removed to Chicago, Ill., and went into partnership with Paul Cornell, and continued in practice with him until 1856, when he severed his connection with Cornell and formed a partnership with a man by the name of Rogers. In 1857 he was elected judge of the county court, and continued in office until the time of his

untimely death, January 18, 1862. He was killed in a collision between trains on the Illinois Central Railroad at Hydepark, at the Kenwood station. Of his attainments as a lawyer and judge Paul Cornell of Chicago, his old partner and a prominent lawyer, says: "Judge Barron became a man of extensive influence, and was very highly esteemed by all who became acquainted with him. His legal ability was of a high order, and tended rather to the bench than as an advocate. His integrity was above reproach, a man of great industry, and had he lived would doubtless been one of our most eminent judges. Too much cannot be said of his ability as a methodical, conscientious lawyer."

OLIVER TAYLOR BROWN.

By HON. JONATHAN ROSS.

OLIVER TAYLOR BROWN, the son of Elisha and Mehitable Brown, was born at Waterford, Vt., June 2, 1817. Besides at the common schools, he attended several terms both at Lyndon Academy and at Newbury Academy. He studied law first with J. D. Stoddard, Esq., then of Waterford, and subsequently with Judge Samuel Prentiss at Montpelier. While pursuing his academic and legal studies, he taught in the common schools several terms, and acquired the reputation of a successful teacher. He was fond of music, a very good singer, and violinist. He was admitted to the bar at its June term, A. D. 1844. Soon thereafter he commenced the practice of his profession at Coventry. While there he married Harriet, the daughter of Rev. Drury Fairbanks of Littleton, N. H. He moved from Coventry to East St. Johnsbury in 1848. While at Coventry his wife died, leaving an infant daughter who died at East St. Johnsbury just as she was ripening into womanhood. Her death was a severe blow to Mr. Brown. He married for his second wife Miss Bean of Coventry, by whom he had several children. While at East St. Johnsbury he had quite a practice in Caledonia and Essex counties. He was a good counselor and a fair jury-trial lawyer. He had a good legal mind. He was never strong physically, and was not able to endure as much hard labor in the practice of his profession, or otherwise, as most men. In 1872, wishing to furnish his children better educational advantages,

he moved to St. Johnsbury, where he died March 13, 1881, at the age of sixty-four years. Most of the time while he lived at St. Johnsbury his health was very poor. He lost, in a great measure, his voice. He still continued the practice of his profession to the extent his health would allow. Mr. Brown was possessed of a kind of dry wit, which on occasions amused his brethren and the court. On one occasion, while reading an authority to the supreme court, he was interrupted by the presiding judge with "Mr. Brown, you need not trouble yourself to read further from that authority. The court are entirely familiar with it." To which Mr. Brown instantly replied, "Please your honor, I was not reading to familiarize the court, but myself with the authority." Again, a presiding judge in the county court had come down on Mr. Brown pretty severely during the closing business of the term, and was himself in great tribulation for fear he should not get away in time to take the train, and was giving full expression to the fear that he might miss the train. As he was hurrying out of the court-house, Mr. Brown turned to his brethren with the remark, "I hope he wont get left." Mr. Brown always believed in, and was faithful to his clients. They could hardly be in the wrong because they were his clients. He was very fond of his children and did all he could to give them a good education. With a large family and poor health he never acquired much property. His son, Edward D. Brown, now a successful lawyer and real estate agent at Minneapolis, Minn., he assisted to fit for college at the St. Johnsbury Academy, and afterwards to take the full collegiate course at Dartmouth College. His two surviving daughters graduated at the St. Johnsbury Academy. The widow and one unmarried daughter are with the son at Minneapolis. The other daughter married Edmund K. Houghton, the son of Dr. Arvin Houghton, a native of Lyndon, Vt. They reside with his father at Charlestown, Mass.

B. W. POOR.

B. W. POOR came to Glover in 1844. He was a young man and had no family. He remained less than a year, and then went to Johnson, Vt., where he remained but a year.

ELKANAH WINCHESTER.

ELKANAH WINCHESTER was a native of New Hampshire, his parents living at Westmoreland. In 1842 or 1843 Mr. Winchester came to Glover with Daniel Gray, and soon after he came, commenced the study of the law with Hon. Timothy P. Redfield at Irasburgh, and was admitted to the Orleans county bar June 28, 1844. He was very soon taken sick, and died at the house of Olim Gray in Glover, the same year.

NATHANIEL SAUNDERS CLARK, 2D.

By HON. JACOB M. CLARK.

THE subject of this biography was born in Barnet, Vt., August 5, 1820, and died at Junction Grove near Chicago, Ill., April 18, 1866. He was a son of Rev. Jacob S. and Sally (Merrill) Clark, his ancestors being of revolutionary stock. His grandfather, Nathaniel S. Clark, was taken prisoner near Burlington, Vt., in Montgomery's expedition, afterwards exchanged, and rejoined his regiment. His maternal grandfather was quartermaster of the day at Bunker Hill; both served until the end of the war. Mr. Clark early acquired an exceptionally good common school education, and then at the Brownington, Orleans county, Academy, under Rev. A. L. Twilight, he gained a sufficient knowledge of languages and the higher branches to qualify him for professional study. He studied law with Jessie Cooper at Irasburgh, Vt., and was admitted to the bar of the Orleans county court July 3, 1845. He commenced practice in Brownington, but soon moved to West Charleston, where he practiced until 1848, a part of the time associated with now Hon. John L. Edwards, who was at Derby Center.

In 1848, after the death of his first wife, he closed his law office, and commenced engineering under his brother Jacob M. Clark, continuing with him until the close of 1849.

In 1850 he superintended the construction of some important works for the Vermont & Canada Railroad; then opened an office at Milton, Vt., but afterwards moved to Burlington, and went into the office of Hon. William B. Peck. While residing at Burlington he superintended, as engineer, the erection of the Pioneer machine shop company works.

In 1853-4 he was engineering with his brother in Lower Canada. Early in 1856 he went to Junction Grove (then Chicago Junction), and became agent at that point for the Michigan Southern and Northern Indiana Railroad and postmaster and magistrate of the place, which positions he held until his death. Mr. Clark would espouse no cause as a lawyer unless founded in right. His judgment in seizing the key point of a case, irrespective of details, was quick and sound. He was social, genial, generous and brave. He was an excellent engineer and skillful artisan. He was an able and effective teacher, when so engaged, as many in the county will remember, and always fond of conducting affairs where men were organized to do effective work. In the administration of affairs intrusted to him he was uniformly prompt, energetic, faithful and exact. He left the record of a valued official, and worthy citizen.

EBEN A. RANDALL.

EBEN A. RANDALL, the third child of William and Deborah (Kate) Randall, was born in Greensboro, Vt., November 15, 1818. He was educated at the common schools, and attended the academies at Burlington and some other places. He studied law with James Bell of Walden, and Bliss N. Davis of Danville, and was admitted to the bar of Orleans county January 1, 1845, and at once commenced the practice of his profession at Greensboro. He was elected representative for the town of Greensboro in 1850, and deceased at Montpelier during the session at the age of thirty-two years. He was a member of Caledonia Lodge of Odd Fellows. He was married July 20, 1844, to Nancy Webster of Greensboro.

ISAAC N. CUSHMAN.

By HON. T. P. REDFIELD.

ISAAC N. CUSHMAN, being a member of the bar of the county, was long the clerk of the court, and it is fitting that his name should have conspicuous place on the more permanent records of the bar of the county. He was born in Woodstock, Windsor county, March 24, 1821. His father, bearing the same name, was

a lawyer, and a leading and one of the most distinguished advocates of the bar in the state. The family soon moved to Hartford in the same county, and owned and carried on a farm as a family homestead. In 1837 Mr. Cushman became a member of Capt. Partridge's Military School at Norwich, Vt., and in June, 1838, he entered the United States Military Academy at West Point, and remained a member of the school until July 1, 1840. During that time Grant, Sherman, and many of the distinguished generals on both sides in the late civil war were cadets in that institution, of whom he often spoke during and since the war. While at West Point he found a sum of money which had been accidentally left or lost; it was advertised and the owner could not be found, and after the search for the owner proved vain he invested the money in lemons, and invited in "the boys;" among his guests of "the boys" was Grant. Mr. Cushman's standing at West Point was very good, more especially in mathematics. He taught district school several winters at Hartland and other places, and in 1842 he taught a select school for about one year, and his spare time he employed in reading law in his father's office. He went to Milwaukee, Wis., and practiced land surveying which he learned at West Point, in which he was proficient.

His father's death in 1843, called him home, when he purchased the old homestead burdened with a mortgage of \$1,400, which he essayed to pay off by school-teaching and support a family of invalids, which proved impracticable. In 1845 he resumed the study of the law in the office of Judge T. P. Redfield at Irasburgh in Orleans county, and was admitted to the bar January 2, 1847, and went at once to Glover and opened an office for the practice of the law. In 1849 he was elected representative to the legislature from the town of Glover, and during the session of the legislature he was elected judge of probate for the district of Orleans, and at the close of the session he removed to Irasburgh, where he resided until his death, September 29, 1881. The honorary degree of Master of Arts was conferred upon him in 1852 by the Vermont University. When the constitution of the state was changed in 1850 making officers elective, he was elected judge of probate, and continued to hold that office until March, 1854, when he was appointed cashier of the Bank of Orleans, situated at Irasburgh, and held that position until he was elected clerk of the court of that county in 1861,

which he held until his death. He was also at that time elected county treasurer, which he held the like period of time. Mr. Cushman was elected representative to the legislature also from the town of Irasburgh, also senator from the county of Orleans, and many other offices of trust and responsibility, and had the full confidence of the people. He was married to Miss Sally Geddes, May 13, 1855, and had three children, two of whom survive him.

Mr. Cushman was a natural scholar, and was not the ordinary and common type of men. He read with relish all the British classics, and his mind was fully stored from Addison, Goldsmith, Sterne, Steele, Johnson and Burke. He was more familiar with the English classics than any other member of the bar in the county. He had what Byron said of Sheridan,

" Wit, poesy and mirth,
That humble humorist of care on earth."

His wit was spontaneous and never used to wound any one, but genial and kindly. We remember at the February term next before his death, in trying a case to the jury, counsel inveighed harshly against his adversary, and deeply stirred his Irish blood. After the court adjourned the offended Irish advocate met the offender in the clerk's office, and called upon him to retract and apologize. He repeated and affirmed the offensive language. Boiling with wrath the stalwart offended advocate advanced towards the offender, reaching out with the great muscles of his arm at full tension, saying, "You miserable, lying dog, I will throw you through the window." "Hold!" said Cushman, "I shall object to that in this inclement season." The howling north wind beating furiously against the window panes with a thermometer below 25 ° Fahrenheit, was too suggestive, and averted the scene of the great north window in the clerk's office in the court-house, being shivered to atoms, and the impudent advocate struggling amid the debris of broken glass and window-sashes, to save life. Mr. Cushman, from a constitutional habit, was modest, reticent, and even bashful. It required the "stirring him up" to disclose the gold and gems that were in him, and that would open the generous treasure of his careful reading of the best English authors. Here he was ever rich, and entertaining in social life and as a companion. He held all the public offices that the town and county could give, and everybody was his friend. The next session after his death the bar of the county

assembled, and passed resolutions of sorrow and regret at his death, and speaking in the highest terms of him as the clerk of the court and as a man and a citizen. When the resolutions were presented to the court, Judge Redfield presiding, from whose office he had been qualified and admitted to the bar, strongly commended the resolutions, and ordered them to be placed on the records of the court.

HENDERSON CAMPBELL WILSON.

By WILLIAM W. GROUT.

HENDERSON CAMPBELL WILSON was the son of Durfee Wilson, a carpenter by trade, and was born at Champlain, N. Y., on the 8th day of June, 1826, and went with his father at an early age to live in Colchester, Vt.

His mother was Fanny Campbell, who traced her ancestry to the Campbells of Scotland, from whence her father came, and at an early day settled in Cambridge, Vt. At the great age of eighty-seven years while at work in the woods, full of vigor and strength, he was killed by a falling tree. Young Wilson was educated in the common schools and in the academies at Bakersfield and Burlington. He taught school at Colchester in the winters of 1844 and 1845, and in Fairfield in the winter of 1846-7. He read law at Bakersfield with his cousin, the Hon. William C. Wilson, late an associate judge of the supreme court of Vermont, and was admitted to the bar at St. Albans at the September term of the Franklin county court, A. D. 1847. Immediately upon completing his studies—October 22, 1847—he settled at North Troy, Vt., where he has ever since resided. North Troy was a small village at that time, but the locality proved a good one for business, and Lawyer Wilson soon found himself actively engaged in professional work. It can be said of him that during his thirty-five years' practice in Troy he has never had an attorney's sign upon his office, but has always done a good business, and has never missed a term of court in Orleans county; and perhaps it might also be added has never missed being ready for trial in any case that he really wanted to try.

There is hardly a member of the Orleans county bar but will recall occasions where it seemed that some case of Wilson's would



A. C. Milner

surely be reached in his absence, thus enabling the other side to have everything their own way ; but just before it was "too late" Wilson would always be on the ground with every witness in line. His business from the first was a successful and profitable one. His cases were always well prepared and thoroughly tried. He always acted on the maxim that "good testimony makes a good case," and seldom, if ever, found himself a witness short. Since he went to reside in Troy no considerable legal controversy has arisen in that part of Orleans county known as The Valley, in which he has not taken a part.

His business from the first was remunerative, and possessing a natural taste for farming he has put largely of his accumulations into real estate. He also has a taste and capacity for traffic, as his profitable transactions in real estate and almost every kind of personal property fully attest. Mr. Wilson was for many years the agent of George Atchinson of London, England, in the care and sale of large tracts of land owned by him in Orleans county, and until said lands were all disposed of. Enterprising and public-spirited, Mr. Wilson has always taken a lively interest in all the public improvements of his town and county. He was one of the active promoters of the South-Eastern Railway, and was the attorney of the late Col. A. B. Foster while manager of that road.

He was also actively engaged together with Hon. William G. Elkins, Col. O. N. Elkins and John W. Currier of Troy, and Hon. Luther Baker of Richford, and the late Lucius Robinson of Newport, in the construction of the Missisquoi & Clyde River Railroad, and, from its organization, has been one of the directors in that company. Mr. Wilson has been repeatedly honored by the confidence of the people of his town and county.

He was elected state's attorney for Orleans county for the years 1855 and 1860. He was representative from his town for the years 1863 and 1864, and was senator from Orleans county for the years 1872 and 1874. In the house he was chairman of the committee on claims and in the senate was chairman of the committee on the judiciary.

It is recording what is well known to say that Mr. Wilson discharged the duties of all these public trusts with fidelity and ability.

Mr. Wilson was married to Miss Mary Ann Porter on the 22d day of October, A. D. 1850, just three years, to a day, from the time

he opened his office in Troy; and now in 1886 Mr. and Mrs. Wilson are able to say that in the whole town of Troy there are living at this time but three other married couples who were living in town at the time of their marriage.

Mr. and Mrs. Wilson have had four children, two of whom are living.

THOMAS ABBOTT.

THOMAS ABBOTT, the son of Thomas K. and Abigail (Boyngton) Abbott, was born at Derby Line, Vt., and was educated in the common schools and Brownington Academy. He studied law with Jessie Cooper of Irasburgh, and was admitted to the Orleans county bar at its June term, A. D. 1848, and at once commenced the practice of law at Barton, where he remained two years. From there he went to Millsbury, Mass., where he practiced until 1855, when he removed to West Union, Iowa, and practiced law until 1859, when he removed to Independence, Iowa, where he still lives. Mr. Abbott enlisted and served in the Forty-seventh Iowa Infantry in the late war, where he contracted disease, so that at the close of the war he did not resume practice. Mr. Abbott married Ann M. Chadwick, and has two sons—Fred M. who is pastor of the Congregational church of Marseilles, Ill., and Edward B., a law student at home.

JOHN P. SARTLE.

THE subject of this biography was born at Stowe, Vt., August 7, 1818, the son of Calvin and Eda (Herrick) Sartle. He attended the common schools and village academy, and for a while attended an academy at Hinsdale, Ill. He early learned the trade of a carpenter, and labored at his trade when not teaching until 1842, when he moved to Lowell, Orleans county, Vt., and built a saw-mill. Lowell was quite a new town, and one in which there was much litigation regarding lands, tax titles, adverse possession, and the like.

Mr. Sartle had a very good education and was quite apt and shrewd, and the result was he soon appeared as counselor in nearly all the justice trials of the town, and they were many, with excellent success. At one of these justice trials he encountered Nor-

man Boardman, an attorney at South Troy, who had a large practice, and who was so favorably impressed with Sartle's ability and skill in handling causes, that he urged him to move to Troy and go into his office as a student, offering him a share of the business to enable him to support his family until he could be admitted to the bar and start for himself, assuring him that he would most certainly succeed in the profession of the law. Thereupon Mr. Sartle sold out his mill and other interests in Lowell and went to Troy, entering upon the study of the law with his new found friend. He was admitted to the bar of Orleans county at the December term, A. D. 1848, and soon thereafterward commenced the practice of his profession at Barton, where he remained in active practice until his death, which took place June 17, 1872. Mr. Sartle was state's attorney for the county of Orleans for the years 1855-56. When the United States Bankruptcy Act became a law he was appointed one of the four registers of the state, and held the office until his death. Mr. Sartle was a man of great force, energy and persistence. One who studied with him, now a prominent lawyer of the West, says of him: "In his profession I have seen harder students, greater plodders, but I do not remember ever to have met a lawyer with quicker and truer legal intuition. His ability in that respect always seemed to me to be something marvelous, and many times he could accomplish more in one day than most lawyers could in a week." Mr. Sartle was twice married. In 1842 to Miss Lucinda Perkins Williams, a lady highly and deservedly esteemed for her many virtues by all who knew her, who deceased, leaving two children—William J. Sartle, who was educated at West Point, and at the time of his death, June 27, 1873, was regiment adjutant of the fifteenth regular infantry with Gen. Gordon Granger, and acting assistant adjutant-general for the district of New Mexico with headquarters at Santa Fe, and Mrs. Nettie Sartle Clark of Peoria, Ill. Subsequently he married again, and by this marriage had one son, Harry Sartle.

WILLIAM HEATH.

WILLIAM HEATH came to Derby from Stanstead, P. Q., about 1845, and pursued the study of the law with E. G. Johnson, Esq., and was admitted a member of the Orleans county bar at the June term, A. D. 1848, and soon left the state.

HENRY HEWITT FROST.

From funeral sermon delivered at Coventry, November 27, 1859, by Rev. Pliny H. White.

HENRY HEWITT FROST was the fifth child and second son of Loring and Abigail Boswell Frost, and was born in Coventry, August 24, 1825. When he was not quite three years old he was deprived of his mother by death, a loss which he could not then appreciate, but which in after life he fully appreciated and sincerely deplored, although he never lacked the fullest respect and the warmest affection for her who took the place of the mother that bore him. His childhood and youth were characterized by a deference and obedience to parental authority, as admirable as it is rare. In fact, his whole life was very marked in this respect, and so punctiliously did he perform his filial duties that on a review of his life, near its close, he could say with a clear conscience "I never disobeyed my father." His early years were spent upon his father's farm, faithfully and industriously doing his allotted part of the hard work which must needs be done in a new country. But it soon became apparent that mental exertion rather than physical toil was to be his employment. The district school, poorly taught, and attended for only brief periods and at long intervals, could not furnish food enough for his mind. Every hour of leisure from work was eagerly devoted to books. What he read he retained, and held at ready command. So mature was his judgment even in youth, that he would read no fiction, but selected solid, substantial literature—history, biography, essay, and the like. During his whole life he read but a single novel, and that out of regard to a friend who presented it to him. On his dying bed he requested that this should be examined by a competent person, and committed to the flames if there should be found in it anything prejudicial to morality or offensive to good taste. His example in that regard is worthy of all imitation, in this day, when the world is so deluged with fictitious literature, which is

"Oft crammed full
Of poisonous error, blackening every page;
And oftener still of trifling second-hand
Remarks, and old, diseased, putrid thought,
And miserable incident."

After he arrived at the age of twenty-one he sought better educational advantages than were to be had at Coventry. He attended

for several months the academy at Brownington, then under the tuition of the Rev. A. L. Twilight, and spent a year and a half, in 1847-8, at Thetford Academy, under the tuition of the distinguished instructor, Hiram Orcutt. He secured the entire confidence of his teachers, and made good proficiency in his studies. While at Thetford he commenced the study of law with Abijah Howard, Esq., and upon his return to Coventry pursued the study with Charles Story, Esq., completed his studies with William M. Dickerman, Esq., and was admitted to the bar of Orleans county court July 6, 1850. He immediately commenced practice in his native town, where he continued, with a constantly increasing business, till sickness withdrew him from his labors. At the June term of court, 1858, he had an unusual amount of business, and labored night and day without sparing himself, and by his over-exertions laid the foundations of a lingering consumption which terminated in his death, November 25, 1859.

Mr. Frost's distinguishing intellectual characteristic was sound common sense. No one faculty of his mind was so much developed as to make the others seem dwarfish in comparison, but all were so evenly developed that his mind was well proportioned and balanced. His powers were also under good control, and he could bring them all to bear upon various and very different subjects. This gave him a versatility of talent which was of great service to his clients and to himself. In whatever he engaged he did it heartily, whether it were the study of professional books, the practice of law, the pursuit of his favorite science—geology, or any of the other things in which he, at different times, engaged. The result of all was that his townsmen had confidence in him as a man of business, and were giving him their confidence more and more. He was not without honor in his own county; in short, he was a "growing man," and bid fair to attain a good eminence as a lawyer and a citizen. Though he had little of that eloquence which makes the worse appear the better reason, he did not lack persuasiveness in argument, nor skill to put forward the strong points of his case. This he did with a candor and an evident confidence in the soundness of his positions, which secured attention and respect for the advocate, though it did not always gain his cause. His morality was of a high tone, and in one particular—honesty—it was of marked excellence. His profession exposed him to peculiar temp-

tations in that respect, but he stood absolutely upright amidst them all. No man who knew him, ever so much as suspected the slightest deviation from the exact right in all pecuniary affairs, or doubted that whatever he ought to account for would be accounted for to the very last farthing.

He was hardly less energetic in paying to his clients the funds he had collected for them than in making the collection. A gentleman residing in another county, who had formerly entrusted many demands to his care, said to me a few weeks since, "When Mr. Frost paid me the money that he had collected for me, I never looked the papers over; I felt sure it was all right." I mention this trait in Mr. Frost's character, not because he did any more than his duty or than any one else ought to do in similar circumstances, but because it was of such rare excellence that it deserves to be held up to approbation and imitation. A reputation such as he had in that particular is more valuable to a professional man than talents or learning, and a more precious legacy than silver or gold to bequeath to one's children.

FERNANDO CARTER HARRINGTON.

THE subject of this sketch was born at St. Johnsbury, East Village, June 3, A. D. 1830. His father, Jubal Harrington, was a merchant at that place, and a son of Leonard Harrington, the founder of the place, owning a grist, oil, and saw-mill, and a large farm. Jubal was afterwards a wholesale dealer in the city of New York. His mother's name was Arabella M. Hill, only daughter of John Hill of the neighboring town of Waterford, one of the settlers of that town as early as 1804. Fernando commenced his school life at the district school of his native village, but at the age of eight years, his father having moved to New York, he was placed at school first at Ridgesfield, and afterward at New Canaan, Conn. Subsequently he commenced the study of the law in the office of Stoughton & Harrington, prominent attorneys of New York, Mr. Harrington being his father's brother. Life here not being in any way to his liking, he returned to Vermont, and continued his law studies with A. J. Willard at Lyndon Center, and afterwards with John L. Edwards at Derby Center, and was admitted to the bar

from his office at the June term, A. D. 1851, and at once commenced the practice of his profession at West Charleston. There not being a large amount of law business to attend to, in June, 1854, in connection with E. E. G. Wheeler, he commenced the publication of a newspaper at West Charleston, called the North Union. They subsequently sold out to a stock company. After this Mr. Harrington was engaged for some time as agent for the Grand Trunk Railway of Canada, in which business he was when the late war broke out. He enlisted in the third regiment, Vermont volunteers, and was mustered into service as captain of Co. D. He served with honor and credit. He had command of the party who made the charge across the creek at Lee's Mills, April 16, 1862. In September, 1863, he resigned, and on his return to Vermont was at once appointed by the governor state drill master, and assisted in fitting out later regiments. Soon after this he retired to the old homestead in St. Johnsbury, where he now resides, dividing his time between farmer, lawyer and publisher, as Mr. Harrington has given much time in the later years of his life to writing for the papers and magazines, and has also written and published several volumes of books. He was married September 6, 1852, to Harriet A. Frost, daughter of Sumner Frost of Derby, by whom he had one son, now a merchant in Chicago.

ALBERT M. HOLBROOK.

THE subject of this sketch was born at Winchester, N. H., in 1821, the eldest son of Marcus and Abbie (Wild) Holbrook.

His mother was the daughter of Dr. Wild, the editor of Wild's almanac, and a notable man. Albert attended the common schools, and was sent to the Chesterfield Academy, where he obtained a very good academical education.

He pursued the study of the law with Gove & Atherton of Nashua, and was admitted to the Hillsborough county bar in 1842, and commenced the practice of his profession at Lowell, Mass. After one year, ambitious to make more rapid progress, he went West, but soon returned to New Hampshire and located at Salem, where he practiced law some six or seven years, when he removed to Glover, Vt., about 1851. Mr. Holbrook was a man of excellent

literary taste, and a forcible and interesting speaker. He is remembered by those who were students in the Orleans Liberal Institute in the fall of 1852, as delivering a lecture that fall upon education, which was full of good things well said. He was a very bright man and a good lawyer. He succeeded in obtaining quite a business, but his health soon failed, and he died October 22, 1853, aged thirty-one years.

NATHANIEL TRACY SHEAFE.

By WILLIAM W. GROUT.

NATHANIEL TRACY SHEAFE was born at Portsmouth, N. H., about 1817. His ancestors on both sides may be traced to the early Puritan stock of New England. His father's name was Jacob Sheafe. His mother's name was Mary Haven, the daughter of Jacob Haven, a clergyman of Portsmouth.

In his early education he had the advantage of the excellent common schools of that day, of Portsmouth, and of the Portsmouth Academy, where he fitted for college. He must have made good use of these opportunities for he was entered at Dartmouth in 1831, and graduated in 1835.

In the fall of 1835 he took charge of the high school at Bellows Falls, Vt., and continued the principal for two years; but his taste was for the law, and in 1837 he commenced the study of it in the office of Hon. William C. Bradley of Westminster, Vt., then one of the best lawyers in the state, and was admitted to the Windham county bar in 1839. Immediately upon admission he opened an office in Bellows Falls, where he did a profitable and growing business till 1843, when he formed a copartnership with his old preceptor, William C. Bradley and removed to Westminster. He continued the partner of Mr. Bradley till 1851, when he removed to Derby Line, where he has since resided. He was for a time cashier of the bank at Derby Line, but soon resumed the practice of his profession.

In 1863 and 1864 he was state's attorney for Orleans county. He was also auditor of the court expenses of the county for many years and until the law was changed and the state auditor took the immediate charge of court expenditures.

Upon the passage of the present highway law Col. Sheafe (this title of colonel was derived by service upon the staff of some governor of Vermont prior to 1860), was made chairman of the board of road commissioners, for which position he is well fitted, not only by a large experience as special commissioner in road cases, but by the liberal and progressive spirit evinced by him in all public matters. His strong love of justice was an additional qualification for this position and always made him available in the judgment of the court for auditor in book account cases and referee in important matters sent out under rule of court, to which service he was frequently called. It also equally well fitted him for commissioner of the United States Circuit Court, which position he has long held. He was also for several years prior to 1876 postmaster at Derby Line. The duties of all these several positions were discharged by him with fidelity and ability.

Col. Sheafe's love for a fine horse and good cow was always gratified by the possession of excellent specimens of each. His taste was for the Morgan horse (now unfortunately nearly extinct), and the Jersey cow. He was, in fact the pioneer Jersey man in North-eastern Vermont.

As a lawyer Mr. Sheafe's field of activity lies more in the preparation than in the trial of causes in court, his retiring and undemonstrative nature finding but little satisfaction in the sharp encounters of the court-room. The careful preparation of cases for trial, however, is his especial pride, and so efficient is he esteemed in that department that in most of the important criminal trials in the county he is called to assist in the preparation.

But so pacific and conciliatory is he in his methods that in his own cases he almost invariably so manages that the parties themselves come to a settlement of their differences, thereby saving the expense and irritation of a trial. By this course he has undoubtedly been much more useful to his clients and neighbors than if he had sought the solution of all questions by the court. In early life Col. Sheafe was married to Miss Margaret Hyde of Bellows Falls. Of him it may be truthfully said that he is a kind husband, an indulgent father and a most estimable friend.

JERRY E. DICKERMAN.

By HON. GEORGE N. DALE.

JERRY E. DICKERMAN, Senior, married Mariah F. Fletcher, and went to St. Johnsbury to reside about 1822, where the gentleman of whom I am writing was born January 15, 1830, and who is the fourth of five children born to said Jerry E. and Mariah. The senior was a practicing physician at Burke and St. Johnsbury. The junior having been born in a clean New England village and reared in the midst of respectable and desirable surroundings, became deeply imbued with the habits, characteristics, and sentiments peculiar to a New Englander.

His common school and academical education acquired at Newbury, St. Johnsbury and Derby, gave him a various experience and observation in different schools, while his broad common sense adapted what he learned to practical use.

In his make-up there is more of the utile than of the poetical or fanciful, so that when he came out from the schools he was as well accoutered for the struggles of life as the most exacting could demand.

In 1851 he commenced the study of law with his brother, William M. Dickerman, at Coventry. This was fortunate for the student. It associated him with an interested and intimate friend so unlike himself, and whose stirring enthusiasm had a favorable influence on his more matter of fact brother.

From that place he entered the office of Henry F. Prentiss at Derby Line, where enjoying the instruction and companionship of that bright man, he applied himself to the books with that tenacity of purpose which he has ever since exhibited in his work.

He was admitted to the bar of Orleans county court June 25, 1852, and practiced law at South Troy in 1854-5. From there he removed to West Charleston. He was then twenty-two years of age, not above the medium in stature, lithe, trim and neat in appearance, an accomplished penman, thoroughly systematic, and possessing every practical element of education and none of the *belle lettre* type to interrupt the efficiency of his outfit.

He had a lively appreciation of the brightness of life. He was quite sensitive to the influence of his surroundings. The nature and importance of everything around him seemed to be impressed

upon his mind. Unlike many who seem to regard nothing in life as very important, this character is incapable of indifference. He is either pleased or disgusted with whatever he comes in contact. Here at West Charleston his character was formed, and this is a fit place for the camera, but the artist is wanting, and we must get along as best we may.

It is fortunate for the character of any man if it may best be sketched by relating what he has done or is doing. Such I deem this character to be.

When he fairly settled down to his life work and began to assume and develop distinct characteristics, his methodical and thorough style soon began to win the confidence of those around him, and more than that he began to mould business men into his ways, so that few lawyers have left more lasting or beneficial impressions on a clientage than he did there. The country was comparatively new, but much of the business of this immediate vicinity had grown old. The town had continued quiet but prosperous for many years, but about the time Dickerman went there it began to feel the influences of railroad enterprises. Equidistant from two of them, it began to stir itself to new enterprises, and the effects of lax and careless business habits began to vex this people, and much of the young lawyer's time was occupied in arranging and closing out old differences and complications, and regulating the confused affairs of his clients, invoking the aid of the courts when necessary. In doing this he won the unlimited confidence of his patrons. This work naturally placed him in many positions of responsibility, but when these trusts were tested first impressions in respect to them became permanent. He was too frugal to allow necessity to push him to extravagant demands for his services, but they were regarded by him of too much consequence to be treated as worthless.

His own financial matters managed accurate and just have made him fairly successful in respect to them.

As an expert accountant he could state and unravel the most intricate and irregular matters with much skill so as to reach definite and satisfactory mathematical conclusions. In this work he grew in the esteem of those around him, and soon came to be regarded with a familiar and pleasant respect and confidence. There chanced to be halting there in that day a class of men much older in years than the subject of this sketch, but who are nearly

all gone now. They regarded him with a sort of paternal affection.

His blunt, frank speech, and spontaneity of feeling and expression soon secured the good will of those somewhat old-fashioned but strong-minded and just men.

His laughter and fun-loving modes were familiar in social hours, and enlivened the whole community, but never disturbed his settled convictions or his discipline in respect to integrity and seriousness in the realities of professional life. There never was a time in his most impatient modes when a *bon mot* would not be responded to by him with the merry laugh of a boy, and yet his jealousy of the honor and dignity of the profession is unbounded. If I should attempt to state the most distinguishing or most marked features of his character I would use three words, viz: Honesty, independence and fidelity—to clients, friends, and in all his relations. He is hasty of speech, but his real friendships are not easily disturbed by differences nor moderated by time or absence.

Whenever his words seem quick or intolerant or uncharitable, the inducement is a peculiar temperament which, like his wit, flashes almost before thought, but it is as “harmless as the idle winds,” because there is no shade of malice in it. As I see him, though he is often impatiently indignant at things he deems wrong, there is not a particle of revenge or enmity in his being.

It is true that he is independent to a degree almost bordering on stubbornness, but this results from his deep and settled convictions of right and wrong. As an advocate he is direct, logical and practical—never diffusive or ornamental. He goes directly to his work with nothing in words or acts suggestive of personal considerations. He is too blunt and frank for art, and too independent for flattery.

As state's attorney for Orleans county in 1858 and 1859, he performed the duties of that office with the same skill and care which he exercised in his private business, and which gave universal satisfaction.

As a legislator in 1859 and 1860, his opinions were clear and positive. His speeches were short and comprehensive, with no attempt at brilliancy. Sometimes his irrepressible humor would manifest itself as if involuntary and coming unbidden.

In 1860 he and the able and eloquent Allen of Rutland, were very intimate friends. They ate at the same table, and were in hearty accord in respect to all things personal. An act appropri-

ating money to pay the Montpelier subscribers to a fund raised to rebuild the state house at that place was under discussion, and was bitterly opposed on the ground *inter alia* that the money was paid by the people of Montpelier for a consideration—a benefit which they had and were receiving ; like hotel-keepers who had paid liberally, and were receiving such returns in the patronage of members and others. To this argument Dickerman made a neat little speech in reply, and when he came to this argument of Allen, he said in substance: “I was not aware, Mr. Speaker, that the putting up at a hotel differed from any other business transaction in which the obligations and benefits are mutual ; and certainly so far as the gentleman from Rutland is concerned, if you sat at the table where I do, you would agree with me that he gets a *quid pro quo* for every cent he pays his landlord.”

An acquaintance with his accurate business methods pointed him out as a fit person for the office of bank commissioner, which position he held in 1862–3–4, fully meeting the expectations of his friends.

In the house he was young and unassuming ; but when he came to the senate in 1869 and 1870 his position forced him to more active service, and he was soon one of the recognized leaders of that body. Special subjects, also, called him out. Among other things he was thoroughly aroused by the proposed legislation disposing of the Newbury Seminary property, in respect to which his settled convictions and positive and emphatic avowal of them were absolutely irresistible, and prevented the legislation first attempted. In his fidelity to his *Alma Mater* was displayed one of the most commendable characteristics in human nature. He stood by her with the affection of a determined child.

As deputy collector of customs at Newport, from 1872 to 1886, he conducted the business in accordance with a strict integrity and method which no one thinks to question.

Take him all in all he has been in his sphere a thoroughly successful man, even beyond the expectations which country lawyers, dependent upon their own exertions, are wont to base on small beginnings. In the well established firms of Edwards & Dickerman, and Edwards, Dickerman & Young, the former existing from April, 1864, to April, 1881, and the latter since then, he has contributed his share of patient work to build up an extensive practice.

In August, 1854, Mr. Dickerman was married to Miss Hannah P. Bates. Fortunate in his domestic relations, which are united more closely by a bond of union in the person of a lovely daughter, I leave him to the expectations of the future which are incidental to meridianal life and to new achievements in his unfinished work, and with the hope that the half has not yet been accomplished.

GEORGE TUCKER.

THE subject of this sketch was born at Claremont, N. H., June 16, 1825, son of Samuel and Alma Rice Tucker. Mr. Tucker soon moved to Northfield, Vt., and engaged in farming. Young Tucker's youth was spent in attending the district school and in labor on the farm. Later he attended the Norwich Military University. He studied law at Montpelier, and was admitted to the bar of Washington county about 1852, and soon went to Barton, Orleans county, where he formed a copartnership for the practice of the law with Gen. William W. Grout, since representative to congress from Vermont. This only continued about one year, as the war of the rebellion broke out, and he was one of the first to answer the call of the president for troops by volunteering, and was elected captain of Co. D, 4th Vermont Volunteer Infantry. He served in the army until compelled to resign on account of sickness.

Afterwards he removed to Alexandria, Va. He lived in Virginia for a number of years, and assisted materially in reconstructing that state, and bringing its legislation into harmony with the general government. He was clerk of the house of representatives of Virginia for two terms, and was prosecuting attorney for Fairfax county for six years. He was once elected to congress, but was beaten in a contest for his seat, because of the prejudice against allowing any one to serve in that body, elected by the votes of the freedmen.

The Canon City Record of May 30, 1885, says of him: "He took an active part in all the reconstruction measures subsequent to the war, and was very popular with the honest and faithful union men of the South, and was much respected by all the political parties, because of his opposition to all dishonest government, and to that class of men who for mercenary purposes fastened themselves on to the governments of the South at the close of the war.

He advocated just and honest government both for the colored race and the white, and the education of all classes and their elevation to all that was noble and good.

He was employed for many years in investigating the claims of union men for indemnity for losses during the war, where fine opportunities for speculation off of the government were offered, yet he kept his hands entirely clean, and he received only his wages, and honestly discharged all his duties without a breath of suspicion against his integrity. He removed from Virginia to Washington City in 1869, and lived there until his removal to Colorado in 1880, and has lived since that time in Canon City in the county of Sag-uache, where he died May 22, 1885.

He was engaged in his profession until his death, and was two years county attorney of that county. He had considerable mining property, and if it can be properly conserved it will be quite valuable.

Judge Tucker was scholarly and well studied in his profession. About him there was nothing of the pettifogger. He practiced law to get at the right. His aim was to know the law and apply it to the case in hand. He made no effort to cheat justice and acquit the guilty. As a citizen he loved the good and hated the evil. He labored diligently and actively in every enterprise for bettering the condition of his fellow-men. He was kind and charitable in all the relations of life, a kind and indulgent husband and father, a trusty friend, a worthy citizen, and a high-minded and honorable man."

GEORGE BALDWIN.

THE subject of this sketch was born at St. Johnsbury, Vt., January 22, 1830, and is the son of Jonathan Baldwin. His grandfather came from Rehoboth, Mass., and was one of the early settlers of St. Johnsbury. His mother's name was Sawyer.

George was educated at the schools in St. Johnsbury and the institute at New Hampton, N. H. In 1850 he commenced the study of the law with William Dickerman at Coventry, and afterwards read law with S. W. Slade at St. Johnsbury. He entered the Ballston, N. Y., Law School, graduating therefrom in May, 1852, and upon his return to Vermont resumed the study of the

law in the office of Henry F. Prentiss at Derby Line, and was admitted to the bar of Orleans county at the June term, A. D. 1853, and at once opened an office at Stockbridge, Vt., for the practice of his profession, where he remained about two years. He then removed to Chilton, Calumet county, Wis., that being the county seat. In 1854 Mr. Baldwin was elected district attorney for his district, and re-elected in 1855. In 1865 he was elected a member of the assembly of Wisconsin, and in 1869 he was elected a member of the state senate, an office which he held two years. In 1856 he commenced to invest what little money he could accumulate from his practice, in real estate. This increased in amount and value until in 1877 he gave up the practice of law, and gave his whole time and attention to the real estate business. In October, 1885, he removed to Appleton, Wis., it being more of a railroad center, and would better accommodate him in the disposition of real estate in the northern part of the state, also in Dakota and Minnesota. Mr. Baldwin has a partner in the business, the firm being Baldwin & Killen.

JOHN COLBY.

JOHN COLBY was born in Barre, Vt., September 19, 1807, the son of Jonathan and Esther Colby. His education was obtained at the common schools and at Barre Academy. He afterwards attended the academy at Poultney, and Waterford, N. Y., where he graduated, and commenced studying law there, but having been called home on account of the sickness of his mother, he did not return. In 1831 he commenced the study of the law with Newell Kinsman of Barre, and was admitted to the bar of Washington county in 1835, and immediately entered upon practice at Washington. He represented the town of Washington in the legislature in 1837-38-39, also 1841. In 1840 he was appointed register of probate for the district of Randolph, and in 1841 was elected by the legislature judge of probate for that district. In 1848 he went to Salisbury, Vt., where he engaged in the practice of the law, and was also engaged in farming. He represented Salisbury in the legislature in 1850 and 1851. In 1853 he removed to Craftsbury, where he practiced two years, and from there went to Glover, where he remained but a short time when he removed to Hartland.

He took an active and influential part in the affairs of his town and county. He represented Hartland in the legislature from 1858 to 1861, inclusive, and from 1864 to 1866, inclusive, making thirteen years that he was a member of the house of representatives. In 1872 thinking to retire from active business, he removed to Fairlee, Vt., where he died March 19, 1875, holding at the time of his death the office of town clerk for Fairlee. He was twice a member of the constitutional convention.

In 1837 he married Adaline M. Kneeland of White River Village, by whom he had four children—Clinton, now at Waterbury, Conn., Henry, Jennie E., now Mrs. Cragin of Holyoke, Mass., Nellie L., now Mrs. Bickford of Fairlee, Vt. In politics he was an ardent republican, and was an earnest member of the Congregational church.

DON ALONZO BARTLETT.

THE subject of this sketch was born at Brownington, Vt., September 19, A. D. 1829, the son of Seth and Asenath Higgins Bartlett. His father was a farmer, and moved with his young family to Coventry, Vt., when Orleans county was comparatively new. He was a man of sterling qualities, and of a persevering and energetic make-up. He gained a comfortable competence by industry and economy, besides helping his four sons who all became lawyers to such an education as his means and the schools of that section would admit of. Don worked on his father's farm summers, and attended the district school winters until old enough to begin school-teaching, thus earning something to enable him to continue his studies at more advanced schools, which he did, attending the academy at Brownington and also at Derby.

He commenced the study of the law at Coventry in the office of William M. Dickerman, and afterward going to Irasburgh to teach, entered the office of Jessie Cooper, from whose office he was admitted to the Orleans county court at the June term, A. D. 1853, and immediately formed a copartnership with Mr. Cooper, who had then been in active and successful practice at Irasburgh some years.

In October, 1854, he married Mary L. Cooper, a daughter of his partner, and in 1857 he emigrated to the territory of Kansas, and settled at Wyandotte in the practice of his profession, where he

died March 12, 1862. He had been appointed judge of probate for his district the year of his decease. He had by his industry, integrity and unblemished character, won an honorable reputation in the state of his adoption. He devoted much of his time, when not occupied in the duties of his profession, to the cause of education and religion, taking a prominent part in the organization of the First Congregational church of Wyandotte, and was one of its trustees at the time of his decease. His life was exemplary in all respects, and he had the esteem of his friends and the confidence of those with whom he had business relations.

CHARLES ROBINSON.

THE Robinson family from time immemorial until within the last century, was particularly given to religion and preaching. The names of their children were taken from the bible, which good book to them was a code to be literally followed.

The Rev. John Robinson, on account of his great piety and intolerance, was chosen pastor of the "May-flower," but having died at Leyden before she sailed for America, was unable to get even a bird's-eye view of the Puritan's blarney stone at Plymouth. His son Isaac, however, came over in that immortal ship, and helped Capt. Miles Standish and others instruct the people in their several religious duties.

Peter, son of Isaac, settled at Nantucket, Mass., where was born unto him another Peter, who settled at Windham, Conn. Here was born Jacob, son of Peter, 2d, in whose children became lost the bible names of the family. Jacob had three sons whom he named Eber, Tracy and Vine. Eber settled at Tolland, Conn., as a merchant, Tracy at Binghamton, N. Y., as a lawyer, and Vine at Brooklyn, Conn., as a farmer. Eber was an officer in the army during the revolutionary war, after which he took his family to Vermont, and settled in Holland, Orleans county. Eber's second son, Charles, was born at Tolland, Conn., January 25, 1787. He was educated at Peacham Academy, studied law with William Baxter at Brownington, and settled in Barre, Washington county, where he practiced for many years. He married Nancy R., daughter of E. D. Wheeler, then the high sheriff of Washington county.

Unto them was born on the first day of November, A. D. 1816, a son, Charles Robinson, Jr., our subject. This Charles was educated under Prof. Southmaid at the academy in Montpelier, and under Dr. Wilbur Fisk, president of the Wesleyan Academy at Wilbraham, Mass. After the death of his father in 1834, young Robinson traveled through the Southern states, and visited the East Indies and Western Australia. On his return to America in 1844, he commenced the study of the law in the office of Hon. Timothy P. Redfield at Irasburgh in Orleans county, Vt., and in 1847 finished his studies with Hon. Luke P. Poland at Morrisville, and was admitted to the bar in Lamoille county the same year. On Judge Poland's election as judge of the supreme court, Mr. Robinson purchased his house and office at Morrisville, and succeeded to the law business of the judge.

In 1853 he moved to Newport, Vt., having been appointed deputy collector by the Hon. D. A. Smalley, the collector of Vermont, and opened a law office at that place.

In 1847 he married Philura L., second daughter of Dr. William Page of Waterville, Vt., by whom he had one son, Charles Homer, who now resides in New York.

Mr. Robinson's practice in Orleans county was quite extensive, and for several years he was attorney for the Connecticut & Passumpsic Railroad Company.

During the first year of Andrew Johnson's term as president, he received the appointment of United States Consul at Quebec, where he remained about four years. After leaving Quebec he went to Boston, and accepted a prominent clerkship in the Boston custom house, and for the past eleven years has been a liquidating clerk in the naval office.

Mr. Robinson's residence is in Medford, some three and one-half miles from the city, where he and Mrs. Robinson are enjoying themselves among their fruit and flowers.

FREDERICK MOTT.

FREDERICK MOTT, a graduate of Brown University, was called in A. D. 1851, to take charge of the Derby Literary and Theological Institute, situated at Derby Center, Vt., where he remained three years. During this time the success of the school

more than equaled the expectations of its most sanguine friends.

At the close of his labors as principal he entered the office of John L. Edwards at Derby for the study of the law, and was admitted to the bar of Orleans county at the December term, 1856, and opened an office for a short time at Derby Line, but soon went West and settled in Iowa for the practice of his profession. He married Miss Emma Dean of Grafton, Vt., who was preceptress of the Derby Institute during the three years he was its principal. He now resides at Winterset, Iowa.

AMASA BARTLETT.

By REV. PLINY H. WHITE.

AMASA BARTLETT, a son of Seth and Asenath (Higgins) Bartlett, was born in Bennington, Vt., May 8, 1835, but in early childhood removed with his parents to Coventry, where he was brought up. He was one of four brothers who became lawyers. After obtaining a suitable academical education he commenced the study of law with J. L. Edwards, Esq., of Derby, continued it with Hon. T. P. Redfield of Montpelier, and ended it with Jessie Cooper, Esq., of Irasburgh. He was admitted to the Orleans county bar at the June term, 1857, and in the following September removed to Kansas, where he established himself in practice at St. George. Though young in years and in the profession, he was elected early in 1858 state's attorney for Pottawattomie county, and in the ensuing fall was elected to the Kansas legislature from the representative district, consisting of that county and an adjoining one. In both these offices he acquitted himself creditably. In June, 1859, he returned to Vermont, and entered into partnership at Irasburgh with his former instructor, Jessie Cooper, Esq. This introduced him at once into a large and very miscellaneous business, in which he proved himself honest, capable and faithful. He continued in practice at Irasburgh about three years, in the meantime receiving his brother, Leavitt Bartlett, Esq., into partnership in place of Mr. Cooper.

When the ninth regiment was called for he decided to abandon his practice and go into the service of the country. About the first of June, 1862, he received recruiting papers, and in the remarkably

short space of nine working days he had recruited a company. Upon its organization he was elected captain.

He shared the various fortunes of the ninth regiment, was with it at the siege of Suffolk and the surrender of Harper's Ferry, endured the vexations of the long inaction at Chicago as paroled prisoner, and went joyfully to active service at Newbern. When the late Maj. Jarvis was killed he was deputed to accompany the remains to Vermont, and was soon after promoted to the vacant office. His last sickness was very short. He was unwell a few days prior to March 14, but was on duty till that day. He was then taken with brain fever, accompanied with convulsions, and survived only two days. His remains were conveyed to Coventry, where they were buried March 27, on which occasion a discourse on "The Christian Patriot" was delivered by the writer of this notice. Maj. Bartlett was eminently a Christian patriot. He did not leave his religion at home when he went into the army, as the manner of some is. It was a part of his daily life, as constant and conspicuous as the insignia of his rank. He looked after the moral and religious interests of his men as diligently as he cared for their health and discipline. His tent was the place of a regular prayer meeting, of which he was the conductor, and his faithful endeavor for the good of his men was not without valuable results.

RINALDO A. BARKER.

RINALDO A. BARKER was born in Glover, Vt., August 25, 1830, and is the son of Joseph and Mary (Brittan) Barker. He received an academical education, and taught school several terms while pursuing his studies. In 1855 he commenced the study of law in the office of John P. Sartle at Barton, where he remained until December, 1857, when he was admitted to the bar of Orleans county. In 1858 he went to Delavern, Wis., where he remained one year. He then removed to Nebraska, where he practiced his profession about a year. In 1860 he emigrated to Atchison, Kansas, and opened a law office, but on the breaking out of the rebellion in 1861, he enlisted as sergeant in Co. K, First Kansas Infantry. He soon afterwards was commissioned as second lieutenant of the same company, He was wounded in the bat-

tle of Wilson's Creek, Mo., after which he was promoted to be first lieutenant of the same company. In 1862 he resigned on account of disability and returned to Atchison, and again commenced the practice of his profession. He was elected city attorney in 1863, and re-elected in 1864. In the fall of 1864 he was elected secretary of state, and in January, 1865, removed to the capital, Topeka, and held that office until 1869, when he then engaged in the insurance business. In 1877 he removed to Chicago, where he has since resided. He was married December 9, 1862, to Julia A. Pierce, daughter of Horace Pierce of Barton, and has two children—Julia M. and Ellen M.

HEALEY C. AKELEY.

THE subject of this sketch was born at Stowe, Vt., March 16, 1836, the son of George and Electa Akeley. He obtained his education at the common schools and Barre Academy. He studied law with Dillingham & Durant at Waterbury, subsequently attended the law school at Poughkeepsie, N. Y., from which he graduated in 1857 and returned to Vermont, and was admitted to the Orleans county bar at its December term, A. D. 1857; and at once opened an office at Greensboro where he remained until the fall of 1858, when he removed to Grand Haven, Mich., where he now resides, engaged actively in the practice of the law, the firm being Akeley & McBride. In October, 1863, he enlisted as a private soldier, and in August, 1865, was mustered out as adjutant of the Second Michigan Cavalry. In 1866 he was appointed collector of customs for the district of Michigan, a position which he held with credit to himself and the country until 1880. Mr. Akeley has been for several years extensively engaged in buying and selling pine lands and other real estate, also extensively engaged in lumbering interests, by which he has become very wealthy.

ALONZO D. BATES.

By B. F. D. CARPENTER, FSQ.

ALONZO D. BATES, the son of Lewis C. and Lucy Ann Bates, was born at Derby, Vt., November 30, 1827. He received his education at the common schools and at Derby Academy. After leaving school he engaged in teaching in the states of

Georgia and Alabama from the fall of 1848 until the fall of 1854, when he returned to Vermont, and applied himself to the study of the law in the office of Hon. Jerry E. Dickerman at West Charleston, Vt., with whom he pursued the study of the law until June, 1858, when he was admitted to the Orleans county bar. At this term of the Orleans county court there were also admitted to the practice of the law the late Judge Benjamin H. Steele, William G. P. Bates, a brother of the subject of this article, who soon afterward removed to the state of Illinois, where he has resided for many years, and Hon. Edward A. Stewart, now residing at Newport, Vt.

He established himself in the practice of the law at the growing village of Newport, Vt., then better known as Lake Bridge, soon after his admission to the bar, and remained there until 1862, having during his residence at this place been twice elected to the office of state's attorney, and serving in that capacity for the years 1860 and 1861. He then removed to West Charleston, Vt., succeeding Mr. Dickerman in the practice of the law at that place, and remaining there until about 1872, when he removed to Derby, Vt., where he has since resided.

A study of the law for three and one-half years, conscientiously pursued, had undoubtedly well prepared him to assume the work of a practicing attorney. His practice, doubtless, was of that varied character which usually falls to the lot of a country practitioner, calling for a knowledge of the common law, the statute law, and that broader and more liberal code in the equity side of the court, so that the youthful practitioner must, to succeed, have in mind all the remedies, both legal and equitable.

As a student and as a practicing lawyer he was, and is, unique and original in his expression and application, and sometimes seemed to carry the principle to an excess; he seemed to believe in the individuality of himself, in this: That he followed after no copy, evidently believing it to be the duty of every one, and of himself in particular, to develop his own character without trying to fashion himself according to some other model; hence he was and is always extremely slow and cautious in arriving at conclusions, though self-reliant and independent in forming opinions, yet, when the conclusion is arrived at and the opinion well matured, aggressive and pugnacious in maintaining it, because the result of this mental process had been to reduce the proposition to a moral certainty, like the

démonstration of a mathematical problem. That he has laboriously and faithfully studied his profession and has an intelligent comprehension of its principles, is shown in the manner in which he examines and analyzes a legal question, so that if one obtain from him an opinion it is a safe and reliable one.

This manner of thought and painstaking carefulness and caution has so fitted him in the preparation of a cause, and in the knowledge of the law governing it, and in the use of that acquired knowledge that he seems well fortified at all points, and among his contemporaries at the bar there are few, or none, who excel him in this particular; hence he has been very successful in the preparation and conduct of causes before referees, auditors, and before the supreme court.

It is but fair, and not at all in derogation of his reputation as a lawyer, to say that his success lies more in the exposition and application of the law governing the cause than in an elaborate discussion of the facts connected therewith.

That he has not succeeded as a mere jury advocate, in the popular sense of the term, is doubtless attributable to an extremely nervous temperament, a natural diffidence, and that he had never sedulously cultivated the graces to the detriment of what he doubtless believed to be the more solid attainments of a lawyer, and yet he always commands the attention of juries, because of the strength of his convictions, and no doubt if he had been possessed of a much greater confidence in himself his success in this direction would have been much greater. Besides what has been already written, this sketch would not be complete without a reference to his grim sense of humor, which in his dry, caustic manner, has lightened up many a time the tedium of the discussion of a dry legal topic, or in the transaction of court business, has convulsed the bench and bar with merriment, and whenever the exigencies of the time seem to demand it, he has a way of "setting out things," and particularly of "setting up" the attorney on the other side that will cause him to wince as if under a thumb-screw, and in this respect he is no respecter of persons, and is thoroughly impartial in his judgments. For the last few years Mr. Bates has paid more attention to agricultural pursuits than the practice of the law.

WILLIAM G. BATES.

WILLIAM G. BATES, the son of Lewis C. and Lucy Ann Bates, was born at East Charleston, Vt., July 18, 1833. His education was obtained at the common school and academies of his native county. When not in school he spent the most of the time until his majority working as salesman or book-keeper for merchants at Rock Island, P. Q., and Montpelier, Vt.

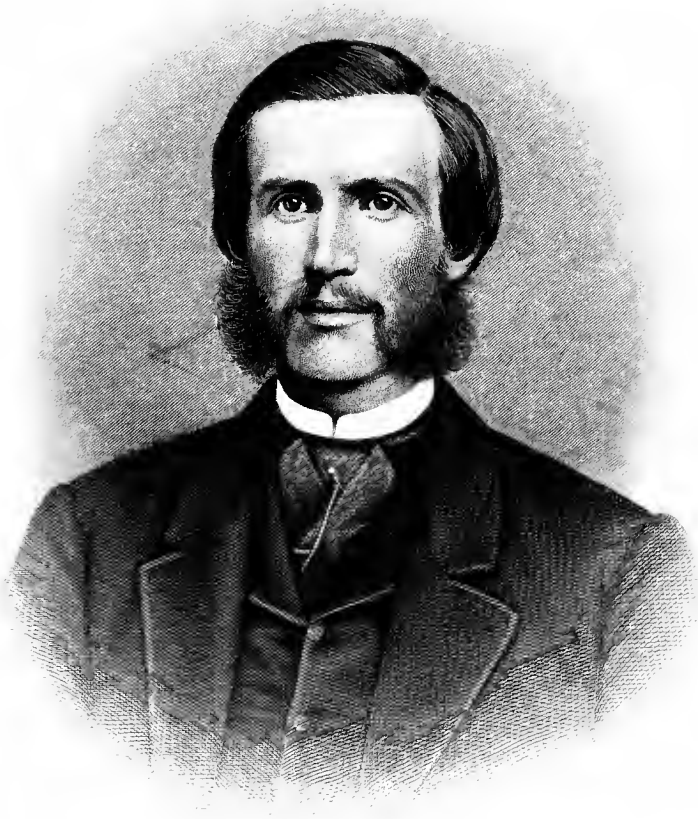
This life not being congenial to his taste, he decided to study law, and in pursuance with that decision he entered the office of Jerry E. Dickerman at West Charleston, and was admitted to the bar of Orleans county at the June term, A. D. 1858, and in the spring of 1859 went to Elkhart, Logan county, Ill., where he located for the practice of his profession.

At this time the land and loan business was quite a share of every attorney's business in this new country, and was quite lucrative. After a short time Mr. Bates found this branch of the business was taking his whole time and attention, and this was true when the war of the rebellion broke out. Mr. Bates was among the first to raise a company of soldiers of which he was a member, but upon examination was rejected for physical disability. Twice after this, during the war, he assisted in raising a company for different regiments in Illinois, and at both times was anxious to take his place among them, but was rejected for the same cause as before. In October, 1883, he removed to Baxter Springs, Kansas, where he now resides. Mr. Bates has always been an ardent republican, having cast his first vote for J. C. Fremont in Springfield, Ill., Abraham Lincoln going with him to the polls and vouching for him. Mr. Bates was married January 1, 1861, to Sophronia C. Lawrence, who deceased in 1867, leaving three boys. January 9, 1870, he was again married to Mrs. Mary B. Dunbar of Charleston, Vt., by whom he has one child, a daughter.

BENJAMIN H. STEELE.

BENJAMIN HINMAN STEELE was born in Stanstead, P. Q., February 6, 1837, eldest son of Sanford and Mary Hinman Steele. He never was very robust or hardy, "although enjoying ordinary health;" his make-up was of the slender, intellectual type.

At six or seven years of age he began to show great mental activity; from that time he was rather a silent, thoughtful boy, much by himself, not seeking the society of others, yet drawing them to him by his peculiar manners. He was quite social, but only when sought. He had a clear analytical mind, and when a boy could state his propositions with remarkable clearness, skill and force, often eliciting expressions of surprise and admiration by the manner he would vanquish older debaters at the village lyceum and elsewhere. His primary education was obtained in the district school at Derby Line, and his course preparatory to entering college in the academies of Stanstead and Derby. He was a ready scholar, and progressed so rapidly as at the early age of fourteen to conduct as teacher an advanced winter school at Smith's Mills in Stanstead. After this he taught each winter for six years one at Derby, one in Troy, three in Concord, Mass., and one at Derby Line. When fourteen years of age he spent a few months at the college of St. Pierre, town of Chambly, P. Q., for the study of the French language, and to the end of his life spoke it fluently. In 1853 young Steele entered Norwich University, thinking to graduate there, but at the end of two years closed his connection at Norwich and became a member at Dartmouth, entering the sophomore class of 1854. His course at Dartmouth seemed to have been specially successful, for we learn that throughout he ranked with the foremost of his class. At the age of twenty, in 1857, he graduated the equal, if not the acknowledged leader of his class in intellectual attainments. In the autumn of the same year he entered the office of the late Hon. John P. Sartle of Barton, and there continued the study of law, which he had before this time, during his leisure time, pursued, doing double work as principal of Barton Academy and law student, but this burden was too much for him to bear, and he was soon prostrated with sickness, and had to suspend both school and the study of the law. On his recovery he went to Cambridge, Mass., with the purpose of pursuing his studies at the law school there. After remaining a while there he attended the supreme court as a spectator, and was by his friends urgently advised to apply for admission. The court was presided over by Judge Metcalf. He offered himself, and after a very thorough and lengthy examination he was recommended by the committee in the highest terms, and was then admitted to the Suffolk county bar, and at



Prof. H. Steele

the age of twenty-one years returned to Vermont, and after spending some time in the office of Sanborn & Brooks, Sherbrooke, P. Q., in the study of Canadian law, he was at the July term, 1858, admitted a member of the Orleans county bar, and at once began the practice of his profession at Derby Line. In the practice of his profession he was eminently successful. He grew rapidly as a lawyer, and was universally popular with clients and the people.

Hon. George N. Dale, in an address delivered at Derby Line, February 19, 1874, on the life and services of Judge Steele, said of him: "Having just attained his majority, he went to the bar of Orleans county, where the thoroughness of his attainments was to be tested at a bar which would compare favorably with any other in the state, among the members of which were Redfield, Colby, Edwards, Dickerman, Prentiss and Cooper, and in the town with him the accomplished Sheafe—the first two of whom were among the best, if not the best special pleaders in the state. He almost immediately took high rank, and soon became the peer of any lawyer in the state.

His pleasing address and enthusiastic manners brought him friends and business, and when it came he did not give it a superficial glance and go to court with it as upon a venture, but he spared himself neither night nor day until he had become acquainted with the nature and details of the case, and had applied the law to it. He did not have a confused idea of the facts in the case, but had them in good arrangement and held them in an iron memory. Located as he was, his command of the French language was of immense value to him. He would sit for hours poring over laws in that language, drinking from the fountain head those principles and the history of their origin, which he was daily applying to his cases. He could listen to the story of a poor French client who had in vain attempted to tell his wrongs to the rest of us, and who had till then been shut out from our laws by that veil between the two languages, which seemed to envelop his humble business relations in hopeless darkness.

He could thus instantly pour a flood of light into the mind of the poor client. The expression of satisfaction on the face of the counsel, and of gratitude from the client, was a picture worth years of toil to be able to produce.

He had a very influential presence and great personal influence. If the current was against him in any trial, he had great power in resisting it and turning it to his favor, so that if he would, if not convinced, at least, secure a respectful hearing. In speaking he did not study ornament so much as clearness and force, but his style was naturally elegant and polished. He never indulged in low billingsgate, but if called upon to meet it he would do it with a keen sarcasm that was effectual as it was healthy, but always free from vulgarity. To say that he was not bitter and severe would not be true, but it was never expressed in low or vulgar language.

He never attempted the grand in his arguments, but very frequently he would involuntarily indulge in passages of absolute sublimity. His purpose seemed to be to go to his work in the most practical, plain, yet forcible and effectual manner. He would illustrate his points with sharp sallies of wit, but he rarely indulged in anecdotes. This resulted from no want of good humor, nor from a want of capacity to relate them, for away from court he would provoke constant mirth and laughter for hours by his inimitable manner of relating them, almost always selecting those illustrating the men and times just past—men whose style and manners he did not ridicule, but whom he could imitate with wonderful accuracy. He was far from being wilful, but when he formed his opinions he would defend them with a skill and courage which were admirable. His character was positive.

He would defend propositions he deemed correct with a true spirit and an immense resource of reasons and illustrations, always impressing his audience with his originality. On one occasion a well-informed stranger sat in the rear while he was addressing the jury. He stated three or four propositions with marked clearness and force, and urged his reasons for their adoption, and the stranger remarked, 'How exhaustive and clear! He has stated all that a man can in relation to that part of his case.' But the pause was over, and the advocate was declaring 'Gentlemen, this would indeed seem sufficient and conclusive, but I have a reason more potent than all this.'

The surprise he had shrewdly created by seeming to exhaust the subject and then suddenly springing in the important part, riveted the attention of the court, jury and bar to see what it could be. He then proceeded to state the most important proposition by far

in the case, and to fortify it by an ingenious arrangement of reasons and arguments, so that when he had concluded his argument on that branch of the case, his new-born admirer exclaimed, 'What a fertile brain! immense resources! He does not look like it, but how he does talk!'

He appealed to the reason of the jury—seldom to their passions or sympathy. Yet, when it became material, he could describe the weakness of poverty with marked success. On one occasion it was urged that his client, an old man, ought to understand, and did understand and consent to a most unconscionable agreement. After describing his client's incapacity from age in a most touching manner, he added: 'And now, gentlemen, to say that this man, whose foot falls so slow and uncertain on the ground, and to whose ear the sounds of earth are so far off, whose nerves are unstrung by the oppressions of the plaintiff (his own son), whose intellect is clouded, and whose sight is growing dim—to say that he shall be entombed in his old age in such a contract, is harsh indeed, yes, intolerable.' I refer to this with no hope of reproducing the effect, but only to show the style. He was never idle. As he grew older in practice he became more social. He would read his books or talk with a friend until near morning, about his cases, the history and the practice of the law, the court-room, and the names and characters of those who had made courts revered, useful and interesting.

He would listen to and develop in his mind his client's case with a zest and thoroughness that was not engendered by passion or hope of gain for the rich, and the poor received like treatment. He would so thoroughly prepare the law propositions bearing on his case that when in court he applied them, and he would do it with masterly analysis and a clear recollection of cases. Thus did he secure the confidence of the court, and commend his case to most favorable consideration."

Mr. Steele was not an active politician in his earlier years, only having held the office of postmaster at Derby Line during President Lincoln's administration, until he was appointed judge of the supreme court. He, however, did some political service in the interest of his friends. In 1864 when Hon. Portus Baxter received his second nomination for congress, it was arranged that Benjamin H. Steele should present the name of his friend and townsman for

renomination. The convention was a mass convention, and was large and noisy with enthusiasm. Young Steele's words soon commanded attention, and his speech is remembered by all who heard it, and is often reverted to as a model of brevity, pure English and eloquence. In November, 1865, he was appointed by Gov. Dillingham to the supreme court bench, to fill the vacancy caused by the appointment of Judge Luke P. Poland to a place in the United States Senate, made vacant by the death of Senator Collamer.

Only twenty-eight years of age, he was the youngest man ever appointed to the bench of Vermont. He entered upon the duties of the office amid the anxiety of his friends for that reason, but it was soon allayed. He gave proof at once of his fitness for the high position. What many other and older men have obtained by hard study and experience, he seemed to have by intuition. His manner was always dignified and kindly. "Perhaps if the Vermont bench ever knew a man who laid justice to the line and judgment to the plummet" it was Judge Steele. His "charges" were excellent samples of clearness, brevity and method. His supreme court opinions are among the clearest and ablest in our Vermont reports. He held the position of judge until 1870, when much to the regret of all he declined a re-election. During his judgeship he removed to St. Johnsbury, and on his retirement from the bench he removed to Hartland, where his home was at the time of his decease. In 1870 he was appointed a member of the state board of education, of which he was a valuable and influential member. In 1872 he was chosen by the legislature one of the trustees of the state library. In the presidential campaign of 1872 he took an active and efficient part. He was elected one of the delegates at large to the national republican convention at Philadelphia. At that convention he was appointed one of the committee on resolutions, greatly aiding in preparing the platform of principles, several of the most important declarations having been written by him and adopted by the convention without change. After the convention he entered zealously into the canvass, speaking and laboring until Grant and Wilson were elected. Urged by his numerous friends, he consented to become a candidate for the congressional nomination in the second district against Judge Poland. The contest was close and exciting, Judge Steele being defeated by a bare majority in the convention. His defeat did not diminish his labors, but he went into New

Hampshire and labored untiringly and effectively until the close of the presidential campaign. Always of slender constitution, and troubled considerably with a serious catarrhal difficulty, constant speaking brought on bronchial inflammation. In March he went to New York for medical treatment, and for a time was thought to be improving. But growing worse, in May he returned home to Hartland, and in a few weeks started for Minnesota, hoping that climate might benefit him. He stopped at Fairbault, and for a time felt he was improving, but he soon had several attacks of hemorrhage, and died on Sunday, July 13, 1873. Judge Steele was married in 1861 to Martha F. Summer of Hartland, who with two children, a daughter Mary aged ten, and a son David aged two, at the time of his decease, survive him. His funeral was largely attended by the prominent men of the state.

EDWARD A. STEWART.

EDWARD A. STEWART was born in Brownington, Vt., June 13, 1834. His father, the late Thomas C. Stewart, was one of the prominent and influential business men of Brownington, spending almost his entire life and resting in death in that town, as was also his grandfather, Amherst Stewart, one of the pioneers of the town, having settled there as early as 1802. His mother was Emily Brigham, daughter of Silas Brigham, also a pioneer of the town. Judge Stewart's early life was spent working in his father's store and on the farm, and attending the school of his native district, Brownington Academy and Derby Academy, where his education was obtained. When he was twenty years of age, desirous of seeing something of the world, and anxious to get away from home as most boys are early in life, he went to Boston and obtained employment in the Quincy market. He was soon convinced that the goal of life for him was far from attained even if he was in the city of Boston. Hence at the end of twenty months he returned home and entered the office of John L. Edwards at Derby for the study of the law, and was admitted to the bar of Orleans county at the June term, A. D. 1858, and at once formed a copartnership with Mr. Edwards, and practiced law at Derby until 1862, under the firm name of Edwards & Stewart. After this he continued alone

in the practice of the law until 1865, when he was elected judge of probate for the district of Orleans, which office he acceptably held until 1876. Judge Stewart was assistant clerk of the Vermont house of representatives during the years 1860 and 1861, and clerk of the house for 1862 and 1863. In January, 1872, Judge Stewart formed a copartnership with D. M. Camp of Newport, and they published the Express and Standard at that place until April, 1881, when this relation was dissolved, and Mr. Camp continued the publishing of the paper. From that time to the present Judge Stewart has been engaged in the insurance business and the settlement of estates, for which he is peculiarly adapted, and has been very successful.

As a lawyer Judge Stewart had acquired by close attention to business, a good degree of success when he was elected judge. As a judge he was always self-contained, of patient and courteous bearing with all those who have grievances to bring before the judge of probate. He discharged the duties of his office without ostentation, and giving general satisfaction. As a man and citizen he is always affable and genial, possessing that plain style and matter of fact directness of purpose, and that modest and unobtrusive manner to be expected in one who, like him, has an utter contempt for all shams and mere pretense. He is a member of the Newport Congregational church, for which he is a constant and zealous worker. He was married in 1860 to Lucy Jane Kelley, and they have had four children, two of whom are still living—Emma Lydia and Kate Maria.

WILLIAM W. GROUT.

By GEORGE H. BLAKE.

WILLIAM WALLACE GROUT was born in Compton, Province of Quebec, May 24, 1836. His ancestry is traced back in New England to as early a period as 1640, and the record shows that in each generation the Grouts were distinguished for push, strong common sense and integrity. They held various offices, and occupied prominent places in their different spheres of life. From Massachusetts they found their way into New Hampshire, as the new country opened up, and Theophilus, grandfather of William W., came to Vermont in 1792 and settled in Kirby. Josiah, father



William W. Goett

of William W., was born in Kirby and resided there most of his life, though he spent a few years in Canada. William W. was the second son in a family of ten; his mother was Sophronia Ayer, an intelligent, estimable lady of Scotch-Irish descent, whose marked characteristics were transmitted to her children.

William W. Grout, like other Vermont boys, had a fair opportunity to attend the common schools, but was ambitious to obtain an education, and hoped to enter one of the professions. He spent his leisure hours in reading and study, and later procured a good academic education. Having decided upon the profession of the law, he entered the law school at Poughkeepsie, N. Y., where he graduated in 1857. Returning from school, he entered the law office of Hon. Thomas Bartlett of Lyndon, to spend a few months there, and was admitted to the bar in Caledonia county in December of the same year. The next year he went to Barton and formed a copartnership with Geo. Tucker, Esq. The town at that time was the terminus of the railroad and the business center of the county. Several lawyers resided there, and the bar of the county was honored by many members then and afterwards distinguished. The young lawyer was pitted against older lawyers than himself in his own town, and against John P. Sartle, an antagonist who was very jealous of his own standing, and imperious in his bearing and conduct. Local litigation soon gave young Grout opportunity to show what material he was made of, and many well remember the fierce battles that were fought in justice courts when Grout and Sartle were engaged as counsel. Here Mr. Grout began to display that good common sense, unfaltering courage, and indomitable perseverance which have ever been the elements of his success. His practice in the local courts increased, and he soon took respectable standing at the bar, both in Orleans and Caledonia counties.

In 1862 he was nominated for state's attorney by the republicans of his county, but he declined the nomination, having decided to enter the army. He recruited a company in Barton, and at its organization was chosen captain. When the line officers met to choose field officers, Capt. Grout was chosen lieutenant-colonel of the 15th Vermont Regiment. The regiment was immediately sent to Virginia, and did much marching and picket duty through the winter, camped and tramped all through the guerilla country, and participated in the Gettysburgh campaign; yet it was singularly

fortunate in escaping the perils of battle. Col. Grout made an active and efficient officer, and was foremost in seeking the place of danger; he won the confidence of the officers and the esteem of the rank and file of his regiment. The delicate health of his wife forbade that he remain longer from home, and he was mustered out with the regiment in August, 1863, and returned home to resume the practice of the law. The next fall the legislature created a state militia, and Col. Grout was chosen brigadier-general. During the same year he was elected state's attorney, and held the office two years. The somewhat celebrated Baxter-Hoyt campaign for member of congress occurred at this time, and Gen. Grout, having espoused the cause of Mr. Hoyt, made some enemies, who fought him in politics long afterwards. He was elected to the house of representatives in 1868, and his town paid him the high compliment of sending him to the legislature three successive years. His career in the legislature was marked by a faithful attention to business, a careful regard for the interest of the common people, and a war against the Shylocks who were trying to raise the rate of legal interest above six per cent. He was chosen a delegate to the national convention which first nominated Gen. Grant for the presidency. In 1874 Gen. Grout was again sent to the lower house of the legislature, and in 1876 he was chosen to the senate, where he was made president *pro tem* of that body. Two years later, after a very sharp political canvass, he was nominated for Representative to Congress over Bradley Barlow. The nomination was bolted by Mr. Barlow. A fusion was made with greenbackers and democrats; money was freely used in the campaign, and Gen. Grout was defeated. The injustice of the act was felt all through the state, and the reflux wave of favor was such that in 1880 both friends and former political enemies made haste to right the wrong, and he not only received an almost unanimous nomination, but a triumphant election to the Forty-seventh Congress. As a first-term member in the house of representatives he began his work under disadvantages, but the Congressional Record shows that he was neither an idle nor a silent member. Among the most important measures which he advocated in this congress may be mentioned the creation of a cabinet officer for the head of the agricultural department, the Geneva Award, the American shipping bill, the North Dakota Territory bill, and a bill on French spoliations. During the full term of his

congressional service he was very faithful to duty, doing a great amount of work, both for the country and his constituents. Just at the close of his work at this time in congress, he was prostrated by a very severe illness which threatened life for some days, and made him unfit for labor several months afterward. The new apportionment had diminished the number of representatives in Vermont to two, and the state had been divided by legislative act into two districts, by a line running along the Green Mountains. This brought Gen. Grout into the second district, and it came to be felt that the interests of the district and the state demanded that he be returned to Washington from this district. At the time the caucuses were held before the district convention, Gen. Grout was busy in Washington, and a few days later prostrate with sickness, so that his canvass was not looked after, and the friends of Judge Poland taking advantage of the situation, carried a majority of the primary meetings and the convention. Many were dissatisfied with the result, and there was a strong disposition to bolt the nomination. Gen. Grout discountenanced the move, and counseled his friends to support the nominee. At the September election a large number of votes were cast for Gen. Grout, but Judge Poland won, and his work in congress was very creditable to the state and to himself. Previous to the time of the district convention in 1884 Judge Poland took himself out of the canvass, and the names of Gen. Grout, Col. G. W. Hooker, and William P. Dillingham were most prominently mentioned for member of congress. Gen. Grout was successful in the convention, and was elected by a vote said to have been the largest given to any congressman chosen from the state in many years.

At this time Gen. Grout is serving his second term in congress; he has been in his place every day of the session, and has won no little credit for himself and the state by his faithful attention to duty. Among the most notable speeches he has made are those on the Fitz John Porter and the Oleomargarine bills. Should the people again decide to return him to congress, we see no reason why his usefulness and influence may not increase as his opportunities are extended.

Gen. Grout's course in congress has been in keeping with his character; he has been very faithful to the interests of his constituents and his friends; he has been ambitious to do well whatever

he has undertaken to do, and has succeeded. In this exalted and difficult sphere, Gen. Grout has been able as in all places where he has been placed, to exceed the expectation of his friends and to disappoint his rivals.

While Gen. Grout has been largely engaged in political affairs, he has all the while kept up a good law practice, and has been engaged in many important civil and criminal suits. Prominent among them were the cases of Hayden and Turner indicted for murder, and Moore for forgery. Judge Powers, before whom the Hayden case was tried, remarked to the writer that Gen. Grout's effort before the jury was one of the most able arguments he ever heard. Turner was acquitted, and Moore was released on his own bail, after a disagreement of the jury. Gen. Grout, without disparagement to other counsel, was the chief man on the defense in these important cases. It is a somewhat singular circumstance that in a large practice of several years Gen. Grout only lost a single case, where he brought the suit, prepared and tried the case. Whenever he has put himself into a case, he has managed it with admirable skill and with great wisdom. As an advocate he is pleasing, persuasive and able; he seeks to convince a jury by plain and vigorous arguments, caring more to present his case clearly by simple language, than to charm the ear with smooth and elegant phrases. He is intuitively familiar with the principles of justice, and seeks to attain what is right, regardless of the technicalities and the intricacies of law. Had he concentrated his thoughts and his energies upon the law alone, few lawyers would have been his superior.

For many years Gen. Grout has been actively engaged in agricultural matters. He purchased the old Grout homestead in Caledonia county, hired his brother-in-law, Capt. Ford, as manager, and commenced both practical and scientific farming. He took the farm in a run-down condition, but at once entered upon the work of reclamation. He erected large barns—the largest in the vicinity, he built silos, purchased thoroughbred stock, laid miles of underdraining, and resorted to approved methods of labor without and within. He has been successful, and has far more than attained that most desirable thing which Justin S. Morrill once declared to be worthy the highest aim of the Vermont farmer—"the raising of two blades of grass in the place of one." His farm demonstrates the fact that

intelligent farming can be successful and profitable in Vermont.

Gen. Grout married Loraine M. Smith of Glover in 1860. She was a woman of most lovely and amiable disposition, and was highly esteemed for her intelligence and womanly virtues. The union was a most happy one. Two children were born as the fruits of the marriage, but they passed away early, and the mother, stricken and bereft, survived them but a brief time, and died in 1868. The loss to the husband was irreparable, and he has felt that no other could fill the place of his early love. He remains single, and his home in Barton is in charge of his sister, Victoria Grout.

As a citizen Gen. Grout endears himself to his community by his charity, honesty, and public spirit. The poor always find in him a friend; he contributes largely to all churches, and his gifts to schools and other institutions have been large. His word is truth and his honor is unquestioned. He is ever ready to assist in any enterprise that promises to be a public benefit. In religious matters he is liberal, but his liberality does not tolerate anything of infidelity, or sanction aught but the cardinal principles of Bible religion. He is a man who grows in the esteem as acquaintance and association become more intimate. Industrious, persistent, able, honest, courageous and ambitious, Gen. Grout is made of that stuff and of those elements which always succeed, and which bespeak for the future, should his life be spared, a career that will be an honor to his name, his profession and his state.

WILLIAM DEFOREST WILSON.

WILLIAM DEFOREST WILSON, only son of the late Hon. W. C. and Clarissa A. Wilson, was born at Bakersfield, Vt., October 5, 1836.

He received his education at the Bakersfield Academy and University of Vermont; read law with his father, whose reputation as a legal preceptor was unsurpassed, and with his natural aptitude for the profession and the thorough drill received from Judge Wilson, came to the bar well equipped, and was admitted in Franklin county at the June term, 1857. Admission to the supreme court and the United States district and circuit courts followed in order.

He was married in 1855 to Lucretia D. Graves, and by this union

three children have been born to them, two of whom, William DeForest, Jr., and Marion L., are now living to make his pleasant home, where generous hospitality is dispensed, pleasanter, and to add to the domestic happiness which is one of the chief delights of his life.

Soon after his admission to the bar he opened an office at South Troy, Vt., and by his industry and ability established a remunerative practice, remaining there until February, 1867.

In 1860 he was Deputy United States Marshal, and assisted in taking the census of that year. In 1867 he removed to St. Albans, where he formed a law partnership with Col. R. C. Benton, which continued until November, 1869, when it was dissolved by reason of Mr. Wilson's intentions of going West, but which were finally reconsidered, and he remained in practice alone until January 1, 1874, when he formed a partnership with Alfred A. Hall, which has since continued under the name of Wilson & Hall.

His practice has been large for a country town, having been engaged in many of the most important cases in that county during the last decade, and the business of the firm extending into adjoining counties, in which he has had marked success.

Untrammelled by political ambition or other business interests, he has faithfully and studiously devoted himself to his profession.

Of pleasing address, he excels as a jury advocate. He is aggressive, industrious, sanguine and fearless, and may well congratulate himself upon having chosen a profession for which he was so well adapted by nature, and in which he has labored singly for success, winning for himself the best possible encomium, "a good lawyer."

LEAVITT BARTLETT.

By REV. E. P. WILD.

LEAVITT BARTLETT was born August 14, 1837, in Coventry. His parents were Seth and Asenath (Higgins) Bartlett, and he was the fourth son who entered the legal profession. He studied law with Jesse Cooper of Irasburgh, and was admitted to the Orleans county bar in June, 1859. From that time till 1863 he practiced law at Irasburgh. Then he removed to Coventry. Having become a Christian, he was strongly moved to enter the

gospel ministry. With the candor and promptness which always characterized him, he soon decided the question, and in October, 1863, entered Bangor Theological Seminary. He was a faithful student and a genial companion. He was quick in his apprehension of the truth, strong in maintaining it, and earnest in presenting it. He finished his seminary course in the summer of 1865, was ordained at Bangor, July 27 of that year, and went immediately to the West to do pioneer work in the organizing of churches. Kansas City had then just begun its marvelous career of growth, and thither Mr. Bartlett went under the direction of the American Home Missionary Society to gather a church. The First Congregational church of that city owes its existence and much of its prosperity to him. He labored there till July, 1867, when he returned to Vermont on account of impaired health. The next spring he began to preach at North Bennington, Vt., where a church was soon organized, of which he took the pastoral charge. In 1870, he went to Jersey City, where he remained a year, ministering to another new church. In September, 1871, he was installed pastor of the First Congregational church in Yarmouth, Me. But though his work in that place was useful and he was much beloved by his people, his heart was always turning back to the new fields at the West. In August, 1873, he resigned his pastorate and went to Kansas City. For nearly four years he supplied the pulpit of the church at Olathe, Kan., though engaged in business a part of the time. He continued in business in Kansas City till June, 1883. During these years he preached much of the time on the Sabbath, supplying the pulpits of destitute churches, and laboring in the neglected districts of the city and neighboring villages. At length, worn out by hard work, and realizing the danger of prostration by disease, he left all business and went with his family to Colorado for a season of absolute rest. This was in July, 1883. Recuperated somewhat after a few weeks, he desired to be at work again. The Home Missionary Society appreciating the value of his knowledge and experience, appointed him superintendent of home missions for New Mexico and Arizona, with his office at Albuquerque. He took up this arduous labor with characteristic energy and faith. His family returned to Springfield, Mo., where his daughters were being educated at Drury College. But it was for only a few months that Mr. Bartlett was able to continue in the work. A week of

unusually severe labor in preaching at a mining village high among the mountains brought on an attack of pneumonia. From this he partially recovered and went to Yuma, Ariz., to recruit further. After a few weeks of improvement he went on to San Bernardino, Cal. But it was the rainy season, and the climate proved too hard for him. He rapidly grew worse, and became unable to be moved. His wife was sent for, who, after being delayed four days at Yuma by the heavy rains, reached him just in season to witness his death. He died at the house of Rev. J. T. Ford in San Bernardino, March 9, 1884. His remains were brought back to Kansas City, and interred in the cemetery at Wyandotte, Kan., beside those of his brother Alonzo.

He was married November 29, 1865, to Miss Emily J. Scales, daughter of Rev. William Scales, formerly of Lyndon, Vt. She, with two daughters, survives him.

Mr. Bartlett was a man of rare integrity of heart, strength of purpose, and cheerfulness of temperament. He could see through a thing with a quickness which seemed almost intuitional. His views of duty were singularly firm. A decision once made left no opportunity for regret. His hopefulness was great. He seemed to be always living for the future in doing present work. And his manner of dealing with men was pleasant and winning. During the short period of his law practice in Orleans county he made many friends who will not cease to cherish his memory very warmly. But his life work was done after he entered the ministry, and in this he left an influence which must be felt for ages.

ENOC H. BARTLETT.

REV. PLINY H. WHITE in Vermont Historical Magazine.

THE subject of this biography was the son of Seth and Ase-nath (Higgins) Bartlett, and a brother of Don A., Amasa, and Leavitt Bartlett, all members of the bar of Orleans county. He was born in Bennington, Vt., April 20, 1833, but while he was quite young his father moved to Coventry, Vt. He spent his minority, except a few terms at Derby Academy, on his father's farm. Upon coming of age he went to Peoria, Ill., where he spent a year as clerk in a store; then returning to Vermont he attended

the academy at Morrisville two years, after which he entered upon the study of the law with Henry H. Frost, Esq., of Coventry. He was admitted to the Orleans county bar at the December term, 1859, and immediately took the office and business of Mr. Frost, who had died some months before.

He was actively and successfully engaged in business when the war broke out, but he could do no business after that. His whole soul seemed to be absorbed in thoughts of his country, and of the duty he owed to it. A recruiting office was soon opened at Coventry, and he was one of the first to enlist, and one of the most active to induce others to do the same. It was a great disappointment to him that the company was not fitted in season to enter either the first or second regiment. It was at length organized as Co. B. of the third regiment, May 24, 1861, and he was elected first lieutenant. He was promoted to the captaincy September 22, 1862. He participated in all the fatiguing marches and desperate fighting in which the third regiment was engaged, having been in the thickest of the fight at Lee's Mills, Williamsburgh, the seven days before Richmond, Antietam, Fredericksburgh, Chancellorsville, and other bloody fields.

He fell at last in the Wilderness, May 3, 1864, while gallantly leading his company against the rebels, and received a soldier's burial on the spot where he fell.

WALTER D. CRANE.

WALTER D. CRANE was born at Bridport, Addison county, Vt., on the 14th day of September, 1827. He was the son of Chilion and Cynthia (Holman) Crane. His father was of German-Irish descent, and by occupation a farmer, a calling which has given birth in New England to more sturdy men than all others put together. He was highly esteemed among his neighbors as a man of probity and fair dealing; and that he united with these qualities the virtues of thrift and industry is amply shown by the fact that, while laying by a competency for old age, he reared a family of twelve children. Of these twelve, eleven sons and one daughter, Walter was the third. His early history was like that of most boys in his position. Work on the farm was diversified with

attendance upon the public school in proportions varying with the necessities of the season and the age of the boy. Like most of his brother farmers, however, Chilion Crane seems to have felt the importance of giving his children a competent education, and when Walter had exhausted the capacities of the district school, it was determined that he should go to the academy. The institution at Bakersfield, Franklin county, was the one selected, and here it was that young Crane completed his education so far as schools had to do with it. Owing to the circumstances of his father, which were at that time less prosperous than in after years, while a large family demanded his support, Walter, after leaving home, was forced to rely mainly upon his own exertions. Being thus obliged to teach one-half the time in order that he might pursue his own studies the other half, a considerable period was necessarily occupied in completing the curriculum of the academy, so that he was some twenty-three years of age when he left it. This may have been one reason why Mr. Crane never attempted a collegiate course, although at that time such a course was not considered as by any means indispensable in a candidate for one of the learned professions even, and it may be doubted whether in fact the habits of independence and self-reliance thus early engendered were not of infinitely more value to him in subsequent life than four years of classical study could have been.

On leaving school young Crane confronted the every-day question, what to do for a living. Those who know him now will be readily persuaded that the drudgery of the plow never held out any special inducement to him, nor will they be surprised that he turned his back upon the honorable calling of his father and became a merchant. He located at East Franklin, Vt., in 1851, where he also held the office of postmaster. This occupation did not, however, prove as congenial as he had anticipated, and after a four years' experience he threw it up, and began the study of the law with Jasper Rand, who was then located at Berkshire. He was admitted to practice at the September term of the Franklin county court, 1859. Having been appointed deputy collector for the port of North Troy, he removed to that village that same year. In 1861 he was made assistant assessor of the internal revenue, and continued to hold both these offices, practicing law to some extent at the same time, until May, 1864, when he removed to Newport, then



W. D. Cram

the little village of "Lake Bridge," at the head of Lake Memphremagog, where he associated himself with Lewis H. Bisbee, under the firm name of Crane & Bisbee, and devoted himself exclusively to the practice of his profession. It will be noticed, therefore, that Mr. Crane was, when called to the bar, thirty-two years old, an age at which most lawyers, who achieve success, are already in command of a lucrative business, and that he spent still another five years before seriously undertaking the practice of the law. Most men would have found it difficult to adapt themselves at this time of life to the requirements of the profession; that he did not is abundantly shown by his immediate and continued success. The firm of Crane & Bisbee commanded while it continued an extensive practice, and when dissolved at the expiration of three years by the appointment of Mr. Bisbee as deputy collector for the port of Newport, the senior partner, who continued business by himself, retained the larger part of this patronage. He continued to practice at Newport alone until 1878, when he associated himself with F. E. Alfred, under the style of Crane & Alfred, a firm which has always deserved a large and desirable clientage.

While never having devoted himself to politics, Mr. Crane has held at one time and another most of the offices within the gift of his town and county. He was for some years chairman of the board of selectmen in Newport. In 1867 and 1868 he represented that town in the general assembly. He was appointed state's attorney to serve out the unexpired term of L. H. Bisbee, who resigned that office when made deputy collector in 1867, and he was elected to that same office by the people for the biennial term of 1872-74. In 1882 he was nominated for senator by the Orleans county republican convention. The nomination for this office was hotly contested, but Mr. Crane was nominated by a single vote and was subsequently elected. He has been United States Commissioner for Vermont since 1867. All these positions have been acceptably filled by him. While in the house he served on the committee on railroads and that on corporations, and in the senate was a member of the judiciary committee. He was an influential member of both bodies.

In 1851 he married Mary A. Smith, who bore him two children, both of whom died quite young. His wife herself deceased in 1878.

Among all callings, the fame of whose followers depends mainly

upon their written or spoken utterances, the reputation of the lawyer is the most unsatisfactory. The author can point to his book, which if not always *monumentum aere perennius*, at least shows exactly what he has done. The words of the clergyman are spoken after careful preparation and upon topics of universal concern. The statesman is identified with some public measure, and speaks to a whole nation or state. But the lawyer pure and simple, who is concerned merely with the trial of causes before courts and juries, has not one of these advantages. The subjects with which he is engaged, while often of vital importance to the parties, are almost invariably of local interest. Of the very first lawyers only now and then one is ever employed in what is properly a *cause celebre*. The very nature of the employment, although demanding the most careful preparation, often renders that preparation abortive. Who can forecast the phases of a jury lawsuit? Above all the character of the forum is such that the lawyer who speaks with an eye to the public applause, usually does so at the expense of his client. The business of a lawyer is by every fair means to win his case, and the tact, the shrewdness, the genius even, which the skillful practitioner exhibits to this end, are of that peculiar sort, which is often only appreciated by his brother opponent, and which never can be described. For many years Mr. Crane has been regarded as one of the foremost lawyers in the county. During that time he has been connected with many important suits, and has often had occasion to exhibit those peculiar qualities which have made him an eminently successful trial lawyer. But to enumerate those causes would be well nigh meaningless now, and entirely so a few years from now, and an attempt to delineate those qualities would be unintelligible to all but his brother practitioners.

Mr. Crane does not especially enjoy hard mental work. He is not inordinately ambitious and not at all avaricious, and does not therefore do as much of it as he might if he cared more for the fame or money to be got out of his profession. At the same time few men can think better or more to the point than he can when he sets himself seriously about it. In mere knowledge of case and statute law he is surpassed by several of his brethren, but he has an excellent understanding of general principles and a strong legal sense, and these qualities make him good counsel when he gives a matter his serious attention.

It is, however, as a trier of questions of fact before juries that he especially excels. As already intimated he is rather indifferent to the reputation and the money to be made out of a lawsuit, and is not, therefore, always seen at his best, unless there is something about the case itself which interests him. When thoroughly engaged, especially if the case is adapted to him, he acquits himself in a manner which would be creditable in any company. His mind is naturally a methodical one. In considering a case he intuitively recognizes what will be its strong points and their relations to each other, and when he develops it to the jury he does so in an orderly way, giving special prominence with them to what is specially prominent in his own mind. This quality, combined with an admirable tact in the asking of questions, makes him master of the difficult art of putting in a case, a part which is very often assigned to him, and which he does in less time, with fewer words, and to a much better effect than most lawyers.

He is equally skillful in cross-examination, where he seldom antagonizes a witness, approaching him rather in a manner so conciliatory and so approving that the poor fellow really thinks that he is doing admirable service for the party who called him until he happens to notice the uneasiness of the attorney on that side. When everything else fails he possesses the difficult art of casting over the most straightforward testimony an atmosphere of doubt. No matter how honest the witness or how consistent his evidence, the subject of this sketch will manage, whether by the incredulity manifested upon his own countenance, or the insinuating nature of his questions, to leave with the jury the impression that while that fellow may be straight enough ordinarily, there is evidently something in this particular instance which isn't just right.

It is, however in the argument of causes to a jury that Mr. Crane is the strongest. He is not in the common acceptance of that word an orator. His voice is hardly adapted to the addressing of large bodies, and he lacks the passion which sways them. Apparently the business of public speaking is distasteful to him, for he always runs away from an opportunity to make a speech. Even in the trial of causes he is apt to put the argument upon some associate. Nevertheless, given twelve men in the jury-box, with a case which must be argued and nobody to argue it for him, and the writer conceives that very few lawyers whom he has ever

listened to can do it more effectively. And the beauty of it all is that whatever the speech which he makes to the jury may in fact be, it always appears to be an argument. He seldom appeals to their sympathy, he never assures them that he believes in the justice of his cause and that therefore they ought to, but he seems to demonstrate to them that his cause is just. And so calm, so candid, so apparently disinterested is he in this task that the jury give him his case, often against all evidence and all right, not because they want to, but because there really isn't any other way. In his arguments he frequently employs his power of sarcasm, which he possesses far beyond any other member of the bar, to the great amusement of everybody except the victim.

Mr. Crane, in addition to being a good lawyer, is a good fellow. He tells a good story and cracks a good joke, and he possibly enjoys his part of his professional life fully as much as its weightier responsibilities. He is regarded with special kindness by his younger brethren, whom he never seeks to domineer or patronize or unnecessarily embarrass, and who find him a pleasant man to be in a case with, either as an associate or an opponent. On the whole there are but few practicing attorneys who are more thoroughly identified with or whose loss would be more felt by the bar of Orleans county.

B. F. DEMING CARPENTER.

By CHARLES H. JONES.

THE subject of this sketch was born in Danville, Vt., June 12, A. D. 1838. He came of good English stock. His great-grandfather, Jonathan Carpenter, was a native of Massachusetts, and a soldier in the revolutionary war. His grandfather, Col. Chester Carpenter, was born in Randolph, Vt., and came to Derby in 1811, where he lived and died. His father was the late Hon. Marshall Carpenter of Derby, judge of probate for the district of Orleans from 1856 to 1862.

His mother, Harriet Deming, was the daughter of Hon. Benjamin F. Deming of Danville, Vt., for many years clerk of the Caledonia county court and judge of probate till elected to congress in 1833, and who died at Saratoga in 1834 on his return from Washington.

His youth was spent in labor on his father's farm in Derby, at the common schools and at Derby Academy. He was a good scholar, quick to learn, and excelled in literary and rhetorical studies. A large and flourishing lyceum was maintained, in which he proved a good debater. In 1858 he entered the office of Edwards & Stewart at Derby as a student at law, and was admitted to the Orleans county bar at the June term, A. D. 1860.

He opened an office at Craftsbury where he remained till 1864, when he removed to West Charleston. Here he soon formed a partnership with Hon. George N. Dale of Island Pond, which continued about five years. In 1880 he moved to Barton Landing, where he now resides.

He represented Charleston in the legislature in 1868 and 1869, and was state's attorney for Orleans county in 1870, 1871 and 1872. This is an important office, and three successive years of service indicate that its duties were well performed. The time will come when young and inexperienced lawyers, however promising, will not be chosen for this position. Penal law is the most difficult to enforce, and criminals are often defended by the best talent and skill. The State and people are entitled to such an efficient service as fulness and experience alone can give. In 1884 Mr. Carpenter was elected to the legislature from Barton, representing a divided town where passion ran high over the removal of the shire. In politics he is a republican, but not a parstian. July 2, 1863, he was married to Harriet M. Fairchild of Derby, by whom he has two sons—Ernest M., born July 29, 1864, and Ray; born August 13, 1872, each inheriting a genial nature, and refined and scholarly tastes.

As a counselor Mr. Carpenter is reliable and safe. Thoroughly grounded in the principles of law, cautious and conservative by nature, cool and candid in judgment, making his client's interest his own and fully counting the cost, he often counsels peace where the voice of others would be for war. So marked is this tendency that he could more truthfully be termed a foe to litigation than a breeder of quarrels. Yet he is well versed in the art of assault and defence, and roused by opposition he is a strong fighter. His cases are well prepared, and fairly and honestly tried without subterfuge or trick.

As an advocate he confines himself closely to the questions at issue with no attempt at display or effect. With impressive voice and manner, a ready, fluent, effective speaker, a close and logical reasoner, he presents his case with clearness and force. Fair and candid in the treatment of opponents, he is close and searching in cross-examination, and in the analysis of motive and evidence "in which he holds the mirror up to nature."

In the trial of a cause surprises often occur and counsel are placed in trying positions, Mr. Carpenter is capable of making a good fight in a waning cause. But "thrice is he armed that hath his quarrel just," and he is only at his best when fully in accord with the dictates of justice and humanity. His mind is broad and deep rather than sharp, his attainments are solid and substantial rather than showy. Well versed in parliamentary law, he excels as a presiding officer, easy, courteous and dignified. Sensitive to criticism, retiring by nature, scorning self-seeking, he is often silent where men of less ability push themselves into prominence. With extensive reading, a retentive memory, a mirthful nature, abreast of current events, he is a social, jovial companion. There is nothing of the hedgehog or mule in his composition. Honest in sentiment, humane in feeling, broad and charitable in view, his sympathies are along the line of public weal and progress, with little of Hamlet's gloomy burden. "The time is out of joint, O cursed Sprite, that ever I was born to set it right." A sound lawyer, a good citizen, a warm and genial friend, he is a generous whole-souled man. And when fully roused few will deny him the meed of one of the ablest advocates at the Orleans County Bar.

ASAH M. BURK.

By HON. P. K. GLEED.

ASAH M. BURK was born in Morristown in the county of Lamoille, on the 28th day of June, 1823. He was the son of Sampson and Louisa H. Burk.

His father was a thrifty farmer, and one of the early settlers of the town. He was visited with the blessing of a large family, such as are few and fast growing fewer under the false fashion of the day.

Mr. Burk attended the schools of his native town and the academy at Bakersfield. He engaged in the mercantile business at Morrisville for a short time, but like Lincoln did not make it a success. He then removed to Kansas, but soon returned to his native state. He studied law with Hon. W. G. Ferrin at Montpelier, and was admitted to the bar of the Lamoille county court at its June term, 1860.

He at once opened an office at West Albany, Orleans county, where he remained only about six months, when he removed to Craftsbury. Here he remained six years, and successfully pursued his profession. In this short time he earned for himself the reputation of being an honest, careful, and prudent adviser, and a faithful and responsible manager of all affairs entrusted to him by his clients.

The death of his father and the condition of his affairs, and especially the care of his aged mother, recalled him to Morristown, where he has since lived. Mr. Burk, like St. Paul, has never married, but has been the stay of his aged mother and other members of his father's family. He has for many years held the office of town clerk and treasurer; has frequently been appointed guardian, administrator and executor, and in all these functions has been faithful to every trust and of great public benefit. He is now the owner of quite a landed estate, and has been rewarded by fortune to quite an extent.

MERRILL JACKSON HILL.

By E. A. STEWART.

MERRILL JACKSON HILL, the son of Samuel and Sophia Norris Hill, was born in Danville, Vt. His father was a physician, and practiced in Danville many years. He died at an advanced age in 1879. Merrill's mother died in 1839 when he was a small boy. Merrill was early thrown upon his own resources, and from the age of twelve years he earned his own living, providing himself with the necessary books for study, and acquiring thereby habits of self-reliance, so essential to one's success in any department of life. Having prepared himself for college at the academies in Danville and St. Johnsbury, he entered the University of Vermont in 1847, and graduated in 1851 in the same class with Mat-

thew H. Buckham, now president of that institution. The means were mostly earned by teaching during these years, but the fact that he was owing something at his graduation did not appall him. He immediately went to North Scituate, R. I., where he taught one and a half years, thence to Sherbrooke, P. Q., where a more lucrative position was offered him. He remained here, also, one and a half years, and then returned to Vermont with the intention of going West or South, but at the urgent request of a sister who was in precarious health, and who was very dear to him, having encouraged him in his struggles for an education, he decided to remain in his own native state. About the first of September, 1854, he went to Derby, in this county, to take charge of the academy. He remained there six years, though he was not at the head of the academy all the time. He acquired an excellent reputation as an instructor, and probably, if he had desired it, could have secured and filled a permanent position in a collegiate institution with honor to himself. During his residence in Derby he read law in the office of J. L. Edwards, Esq., and was admitted to the bar at the June term of Orleans county court, 1860. He also varied his pursuits by purchasing a farm in the adjoining town of Morgan, and digging in the soil. He worked upon it with considerable ardor for two or three years and then sold it, but the profits did not warrant his engaging further in the real estate business.

An associate and friend of his wrote as follows, at this time, of Mr. Hill's qualities of mind and acquirements as a speaker: The gentleman's language is faultless. He always clothes his arguments with an elegance of diction that other speakers would do well to acquire. He has a fine, analytical mind and quick perceptions, and is therefore ready in debate. He discusses the question in a pointed, logical manner. Indeed he is too logical, or rather he does not introduce that variety into his speeches which may be afforded by one's knowledge of men and things who has been an extensive reader and observer. He does not reason by comparison, nor enforce his arguments by illustration. In this line he displays more talent than tact. His speeches are, as one has said of Macaulay's style in *History of England*, "a continued pounding of logic from beginning to end." As a lawyer he might make a fair jury advocate, but his forte would lie in arguing cases to the court, where embellishment, though useful, is not so indispensable to suc-

cess. He would make a good special pleader, his analytical mind being well fitted for the nice distinctions that characterize that branch of the law.

In September, 1860, Mr. Hill opened a law office at West Berkshire, Vt., where he remained nearly eight years, during a part of the time being in the customs office at that place. In April, 1868, he removed to St. Albans, where he has since resided, continuing the practice of the law; he has also been engaged to quite an extent in the insurance business. Soon after his removal to St. Albans he commenced the erection of a fine residence on an eligible street, which he finished to his taste, and thus with a pleasant home, a fair share of business in one of New England's most beautiful villages, Mr. Hill is prepared to enjoy the years that indicate the declivity of life.

In December, 1855, Mr. Hill married Jane, the daughter of Hon. Jacob Bates of Derby. She came to a tragic death by her own act in August, 1859, when it was supposed she was recovering from a long and severe sickness. In December, 1861, he married Mary, the eldest daughter of Jasper Rand, Esq., by whom he has two daughters.

MILTON R. TYLER.

THE subject of this sketch was born in Essex, Vt., March 18, 1835, and is the son of Daniel and Permelia (Farrand) Tyler. He attended the district school and academy, and afterward entered the University of Vermont at Burlington, where he graduated in the class of 1859. Immediately after leaving college he engaged as principal of the Essex Academy, where he remained two years. He entered the office of Anson Soule of Fairfax, where he pursued the study of the law, and was admitted to the bar of Franklin county at its April term, A. D. 1860, and soon commenced the practice of his profession at Irasburgh, Orleans county, Vt. He was elected judge of probate for the district of Orleans in 1863, and re-elected in 1864 and 1865. Subsequently he went to Bakersfield where he remained thirteen years, enjoying an extensive and lucrative practice. He then removed to Burlington. He was elected judge of the city court, a position which he held several

years to the entire acceptance of all, receiving at his last election all the votes cast but three. He is now in active and successful practice at Fergus Falls, Minnesota.

CHARLES I. VAIL.

THE subject of this biography, the son of Samuel K. and Mary D. Vail, was born in Chester, N. Y., November 11, 1837, and prepared for college at the Seward Institute, Florida, N. Y. He entered Union College, Schenectady, in 1855, and graduated there in 1859. He studied law with Hon. Timothy P. Redfield at Montpelier, Vt., and was admitted to the Washington county bar at its September term, A. D. 1860, and at once commenced the practice of the law at Newport with Charles Robinson as a partner. He removed to Irasburgh in the spring of 1862, and continued in practice there until April, 1871, when he removed to Blainstown, Iowa, where he now resides, still in the active practice of the law. December 9, 1861, he married Abbie F. Barnes, daughter of Henry E. Barnes of Stowe, Lamoille county, Vt.

CHARLES WILLIAMS.

CHARLES WILLIAMS, the only son of Henry and Celynda (Greenleaf) Williams, was born in Derby, Vt., January 26, 1826. He received his education at the common schools and Derby Academy. At the age of twenty-two he married Maria C. Traverse, who still survives him, and resided at Derby several years. He then entered the employ of the Fairbanks Scale Manufacturing Company of St. Johnsbury, and removed there, his business of selling and setting up scales taking him to all parts of the United States. Before very long he moved to Melrose, Mass., and from 1851 to 1861 was in the employ of the Fairbanks Company, under the direction of Greenleaf & Brown, their Boston agents. While thus engaged in active labor during the day, his evenings were spent in hard study, being materially aided by Senator Gooch of Melrose in the loan of law and other books. In the winter of 1860 he passed a thorough examination in Boston, and was pronounced

well qualified for admission to the bar, but as he had not conformed to the law of Massachusetts and rules of the court with relation to the admission of attorneys, he could not be admitted.

In May, 1861, he returned to his native town, and at the June term of that year was admitted a member of the bar of Orleans county, and immediately opened an office at Derby Center, although at the time he was in failing health. He had several cases at the December term of that year, and went to Irasburgh full of zeal for his clients, but was prostrated while there, and was obliged to return to his home before the adjournment of court. He lingered in constant suffering until his death, which occurred March 17, 1862. He was an honored member of the Congregational church. He left to his mourning wife and daughter the heritage of an unsullied reputation, and well-founded hope of meeting them in a land where death is unknown.

JULIUS SILAS DORMAN.

THE subject of this sketch was born in Waterloo, P. Q., May 23, 1837. His father, Orrin Dorman, was married in Fairfax, Vt., to Miss Julia Swift, and they soon went to Georgia, where they remained two or three years, and then removed to Waterloo, which was the residence of the family some twelve or fifteen years. They then came to Potton for a short time, and from there to North Troy, which was the residence of both the father and mother of our subject until their death.

He received his education at the academy at Granby, P. Q., and at the village school at North Troy, pursued the study of the law at North Troy in the office of W. D. Crane, and was admitted to the bar of Orleans county at the December term, A. D. 1861, and soon went into the office of Gen. William W. Grout at Barton to look after his business in his office, he having enlisted the October previous. June 16, 1863, he enlisted in the 11th Vermont Volunteers. In October of that year he was appointed corporal of Co. M., and in May, 1864, was promoted to sergeant, and February 16, 1865, made second lieutenant of Co. G., and commissioned as first lieutenant in Co. L., June 21, 1865. Mr. Dorman was discharged from the service June 24, 1865, and soon opened an office at North

Troy and commenced the practice of law. In 1872 he was appointed inspector of customs with no regular station, doing duty wherever directed by the collector of Vermont. In January, 1883, he was appointed consular agent and stationed at Pottom, P. Q., which position he has since held.

CHARLES H. FLEMING.

AFTER the most diligent inquiry and thorough investigation with relation to this man, I can only find that he studied law with Jessie Cooper, and according to the records of the court was admitted to the bar of Orleans county at the December term, 1861.

JOHN BARNEY ROBINSON.

THE subject of this sketch was born in Brownington, Vt., February 5, 1838. He was the son of Benjamin Franklin and Nancy (Hayward) Robinson. Jasper Robinson, the paternal grandfather of our subject, moved from Weathersfield, Conn., to Brownington early in the history of that town, and was for many years a successful merchant there. He was elected a representative several times, and served as assistant county judge in 1828-29. When our subject was two years of age his father moved to Barton, which was ever afterward to be his home.

His early opportunities for obtaining an education were few. His father had a large family and was a man of small means, hence young Robinson was confined to the district school and a few terms at Barton Academy. Soon after his majority he commenced the study of law in the office of John P. Sartle of Barton, but in August, 1861, although nearly fitted for admission to the bar, he relinquished his law studies and enlisted in Co. D, 4th Vermont Volunteers. In November of that year he was severely injured in one knee, and soon returned home on a furlough, and June 18, 1862, received his discharge. He never fully recovered from the hurt. Upon his return home on his furlough he immediately resumed his law studies, and was admitted to the bar of Orleans county at the December term, 1861. After receiving his discharge he contracted partnership for the practice of the law with Benjamin

H. Steele, under the firm name of Steele & Robinson, with offices at Derby Line and Barton. This continued until Mr. Steele was elected one of the judges of the supreme court, when George N. Dale of Island Pond took Mr. Steele's place, the firm becoming Dale & Robinson. This firm from the first had a good practice. Mr. Robinson was a bright, active man. What he may have lacked in professional attainments was fully made up by his tenacity of purpose and untiring energy. Each and every case that came to his office was diligently and carefully prepared, and when it came to court was tried for all it was worth. As an advocate he was direct, logical and practical. "He was too blunt and frank for art, and too independent for flattery." A prominent characteristic of Mr. Robinson was his love of fun. Himself a wit of no mean order, he highly appreciated it in others; his fun-loving modes were familiar in social hours, and enlivened the whole bar. He was elected state's attorney in 1867, and re-elected in 1868. He was married January 25, 1865, to Helen R. Ellis, who, with one son, Homer E. Robinson, survive him.

Mr. Robinson deceased May 15, 1874, at the very threshold of what bid fair to be a successful professional life.

LEWIS H. BISBEE.

Bench and Bar of Chicago.

LEWIS H. BISBEE was born in the town of Derby, Orleans county, Vt., March 28, 1839. His father, David Bisbee, was a farmer. His education was acquired in the public schools of his native town up to the time his ambition for a higher education led him to seek the means to obtain it. He worked on a farm summers, attending school winters, until about sixteen years of age, when he fell back upon his own resources to make a further advance in the direction of accomplishing the designs he had formed for his future. He had the courage, the ambition, the energy, and the tenacity of purpose to overcome material obstacles. Prepared for college in the academies at Glover, Derby and Morrisville, in Northern Vermont, he entered St. Hyacinth College near Montreal, Canada, when but nineteen years of age, graduating when twenty-one. The course there being conducted in the French language

he mastered it, and is now a proficient French scholar. He subsequently read law with J. L. Edwards, a prominent practitioner at Derby, paying his way mainly by teaching French, and was admitted to practice in June, 1862. This course and outcome is a forcible illustration of the power and conquering force of mind and well directed will power in overcoming obstacles which appear to those of less vigorous intellect and decided purpose insurmountable. The same month he was admitted to the bar, he enlisted as a private in Co. E, 9th Vt. Infantry, and was afterward promoted to the captaincy of Co. H. of the same regiment, and served with decided credit through all the hardships and severe service which that excellent regiment passed, and was always found at the front, in the thickest of whatever battle or service it was engaged in, which were many and often severe. He was captured at Harper's Ferry, released on parole, and sent to Camp Douglas, Chicago, where he remained until exchanged, when he rejoined his regiment and remained with it until 1864, when he resigned on account of sickness and returned to Newport, Vt., and engaged in the practice of law, soon building up an extensive and lucrative business.

About this time he married Miss Jane E. Hinman, the accomplished daughter of Aaron Hinman of Derby, one of the first families in Vermont, and of that good old New England stock, the virtues and morals of which have spread through the West, permeating and elevating the tone and character of the people wherever they find lodgment. Mrs. Bisbee is an estimable, amiable, and interesting woman, who presides with dignity over a home of attractive and pleasant surroundings. The elegant and costly residence which Mr. Bisbee has recently built in the beautiful suburban town of Hydepark would grace and ornament the choicest residence streets of Chicago or any other city. The hospitality and good cheer met with there are in keeping with the elegant home, whose hosts are esteemed by their friends and in social circles. They have an interesting and pleasant family, which makes the otherwise attractive home the more attractive.

In 1865 Mr. Bisbee was elected state's attorney of Orleans county, where he lived, and was re-elected in 1867, but soon resigned to accept the position of deputy collector of customs, which office he filled until 1869, when he was elected to the legislature. He was re-elected in 1870. He was an active and prominent member of



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L. H. Bisbee

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that body, being a member of the most important committees, and was the leader of his party in debates, contested legislation, and was acknowledged to be the best, most vigorous and effective speaker on the floor in *ex tempore* debates. He made his mark there, and also his impress upon the acts of that body. From 1865 to 1870 he was United States Commissioner from Newport under the extradition treaty. In May, 1871, he moved to Chicago, and had hardly become rooted in business when occurred the great fire. In the reorganization, rebuilding, and re-establishing of order out of the confusion and chaotic condition in which the fire left everything, he came to the front by virtue of his superior intelligence, tact, energy and judgment. Old established lines of prejudices and ruts of business were partially obliterated by the fire, and Lewis H. Bisbee saw his opportunities to enter an open field for a free and equal contest for a high position, in which the bravest and best were sure to win. He had unwavering faith in the future of Chicago, seized the opportunity, and has won.

He has been associated with different persons in his practice, but much of the time alone. He has been and is one of the most successful jury and chancery lawyers in the Northwest. He enjoys a large and lucrative practice of the higher order. His conduct of the case known as the B. F. Allen Blanket mortgage case for Hoyt Sherman especially, was conducted with great ability and tact, and he was highly complimented by courts and bar; also the noted Sturges case, and many others could be enumerated, for the management of which he has won signal credit. Few attorneys have attained to such high position at the bar in so short a time.

In 1878 he was elected to the legislature of Illinois, receiving nearly the unanimous vote of his district, one of the most populous and wealthy in the state. In this body which counted among its members some of the ablest men in the state, he at once took a leading position as a ready and able debater, and an influential and judicious legislator, originating and championing some of the most important measures. He nominated John A. Logan for United States Senator in a speech, the eloquence and force of which did much to secure his election, which followed. He is a natural orator, a clean cut, incisive, and logical thinker and reasoner, a man of fine figure and physique, and of commanding presence, which, with his attractive delivery makes him an effective and interesting, a

graceful and forcible speaker before a jury or a promiscuous audience. He is an ardent republican, and his voice and eloquence are heard in the important campaigns when the principles of the party are at stake.

He is an affable, genial, and generously endowed gentleman under all circumstances. Clothed with becoming dignity, he is still without vanity; courteous and obliging, but permitting no undue familiarity; painstaking and earnest in the interests of his clients, with fidelity to integrity and honor; gifted by nature with the sturdy qualities of mind, heart and body, so characteristic of the best New England stock, he has developed and improved them. He is a successful man as a lawyer and a good citizen—a man of exemplary habits. He is a self-made man in the fullest sense, and being in the prime of life there is a future of promise before him. He has already illustrated the annals of this state at the bar, in the legislature, and in shaping public opinion and sentiment; a man of force and character, he is liable to make a still further impress on the history of his time.

ELIJAH STRONG COWLES.

ELIJAH STRONG COWLES was born at Coventry, Vt., April 30, 1836, and is the son of Seth Fairchild Cowles and Sylvia Strong, his wife, she being the daughter of Hon. Elijah Strong, formerly of Brownington, Orleans county. Young Cowles early obtained such an education as the public schools at home could give, and from there he went to the academy at Brownington. Like many ambitious Vermont boys, he taught school to get means to go on with his studies. The public school in his own district, as well as those in the neighboring towns of Barton, Troy, and other places, were the fields of his labors and successes. He continued his studies in the academy at Peacham, and subsequently took a more advanced course at St. Johnsbury Academy.

While at St. Johnsbury he took the place of principal of the high school, and also, on the invitation of Hon. Ephraim Paddock, he entered his office as a student at law, attending the school during the day and studying in the office morning and evening. Hard work and long hours were too much for his health, and he was obliged to give up both work and study. Rest and a sea voyage



E. S. Cowles

soon restored his health, and after spending some time in the offices of Enoch and Amasa Bartlett at Coventry and Irasburgh he was admitted to the bar of Orleans county at June term, 1862, and entered on the practice of the profession at Coventry.

There being little inducement for a lawyer to remain in that town, Cowles removed in 1866 to New York City, where he was soon admitted, and entered at once into a fair practice. Becoming interested in business on the Jersey side of the river, he removed his office across the river, and afterwards went into partnership with Washington B. Williams, one of the foremost lawyers in that state, and the firm of Williams & Cowles is now one of the best law firms in that large city. Mr. Cowles is a republican, and usually takes an active part in the national campaigns in that city, and stands well as a popular public speaker. He is identified with the charitable and religious movements of the city, is one of the trustees of the Children's Home, president of the County Sunday-school Association, and in 1884 he was sent by the State Sunday-school Association to represent the state in the international convention at Louisville, Ky. Mr. Cowles seems to have been successful as a lawyer, as a citizen, and as a man.

GEORGE D. WYMAN.

THE subject of this sketch was born in Chelsea, Orange county, Vt., June 18, 1828, and is the son of Daniel and Anna (Wilson) Wyman, the former of whom was of Scotch and the latter of Irish descent. The Wymans came to Massachusetts in the year 1622. The Wilsons were living in Chester, N. H., as early as 1725. The immediate family of our subject were from Lee, Oneida county, N. Y., where the paternal grandfather, Samuel Wyman, died.

Young Wyman's education was obtained at the common schools and the academy at Bradford, where he was fitted for entering college with the exception of Greek. Subsequently he took a full course, and graduated at Comer's Commercial College, Boston, Mass. Upon arriving at majority he went to Boston, and there and at Philadelphia engaged in the business of book-keeping until 1852.

At that time there being so much said of the rich mines in California he repaired to that state, and engaged in mining until the latter part of 1854, when he came east as far as Minnesota, where he occupied himself in buying and selling real estate until September 20, 1860. He then returned to Vermont and entered the People's Bank at Derby Line, and at the same time pursued the study of the law with Benjamin H. Steele, and at the June term, 1862, of the Orleans county court, was admitted to the bar.

After his admission Mr. Wyman engaged with Mr. Steele, and continued at work in his office until the spring of 1865. After this, for about two years, he was engaged in mining in Canada. In December, 1867, he was appointed deputy collector and inspector of customs for the port of Derby Line, which office he has held to the present time to the entire acceptance of all. Mr. Wyman is a democrat in politics and has never married.

JOHN YOUNG.

By HON. JOHN L. EDWARDS.

JOHN YOUNG, the subject of this sketch, was born in Stanstead in the Province of Quebec, March 31, 1839. His parents, Alexander and Mary (Drew) Young, were also born in Stanstead, where his father died in 1850 and his mother still resides.

Mr. Young's early education was acquired at the district school, after which he prepared for college at the Stanstead Academy, then under the supervision of John A. Jameson, now one of the judges of the supreme court of Illinois, Gilbert, and Dennison B. Gage. His progress at this institution was rapid and so thorough that he was enabled to enter college in the sophomore class. With a mind thoroughly disciplined under these eminent instructors, he entered the Wesleyan University at Middletown, Conn., in 1857. At this institution his deportment and scholarship gained for him an enviable reputation. Diligent in his studies and mindful of every duty devolving upon him as a member of the university, he was enabled to rank among the very first of an unusually large class in that excellent institution. Mr. Young graduated at this institution with high honors in 1860.

Mr. Young had, during his whole course of study, contemplated

the legal profession as the great work of his life, and so tenacious was he of this that he had no sooner graduated than he began to cast about to see how he could accomplish his great purpose. To him it was everything. His limited means had already been exhausted in his college course, but he was in nowise disheartened, his eye was fixed upon the goal, and every obstacle was brushed away as though it were but a feather in a giant's hand.

To accomplish his purpose he engaged as principal of the Derby Academy in the summer of 1860, and continued as such in that institution to the close of the fall term, 1861. He also at the same time commenced the study of the law in the office of J. L. Edwards in Derby, where he spent his time not occupied in the discharge of his duties as principal of the institution. His great powers of endurance and ripe scholarship enabled him to discharge his duties as teacher with fidelity, and still make rapid progress in the profession he had chosen. In these few months he had accomplished in his profession what is usually acquired by the law student in a much longer time. During all this time he had no side issues to distract his attention from the leading idea of his life, and came to the bar admirably fitted for the discharge of its arduous duties at the June term of Orleans county court, A. D. 1862. Here a new era in his life was dawning upon him which required all his energies. He had reached the crisis where more than half who set out in the great work fall behind, languish and perish, and the merciless waves of oblivion sweep them from their comrades, while the rest remain with firm grasp but with varied success, struggling for the prize that is before them.

At this time the profession in Orleans county was well supplied in numbers and in talent, and there seemed but slight foothold for the young practitioner; but one who had read law in Orleans county and had become acquainted with the leading members of that bar always felt it a hardship to be compelled to go beyond the reach of its social influence. Such was the feeling entertained by Mr. Young, and he chose rather to accommodate himself to a meager support than to surrender the relations he had cherished at that bar.

With mingled feelings of hope and fear, Mr. Young took up his residence in South Troy in 1862, and there commenced the practice of the law. His scanty means supplied only a small but choice

library. His library, however, had one advantage over the libraries of beginners generally; it was well read, and it soon became a formidable weapon in his hands. At this period our great civil war was raging, and law business was comparatively at a standstill everywhere. Nothing daunted, Mr. Young turned neither to the right nor the left, but kept his eye steadily fixed upon his profession, and in the language of the poet, "Left all meaner things to low ambition and the pride of kings."

Though life with him could hardly supply his daily wants, here, with a small beginning, was laid the foundation of his future success. Whether business came or not it was all the same, his work went manfully on, and he became familiar with the leading cases and great principles of the common law, which in after years he turned to the very best account, enabling him to do double the business of the ordinary lawyer in the same time.

Being foreign born, Mr. Young was naturalized in December, 1866. In 1867, Mr. Young removed to Derby Line, where he continued the practice of his profession. Here was a wider field for business, and he soon began to reap the benefit of his hitherto laborious life. Mr. Young remained at Derby Line in the successful practice of his profession until 1881, when he removed to Newport, where he became a member of the late firm of Edwards, Dickerman & Young. That firm having dissolved in 1886, Mr. Young entered into copartnership with Jerry E. Dickerman, under the firm name of Dickerman & Young.

Although Mr. Young has hardly reached the meridian of his professional career, yet he has accomplished much. He has established himself among the leading members of the bar of Vermont. With a naturally vigorous constitution, a well balanced logical mind and a retentive memory, joined to a life of industry and studious habits, very much may yet be expected of him.

His vigilant foresight and careful preparation of his cases, both as regards the facts and the law, renders him a formidable competitor, but better far than this, it enables him to see that his client has the full benefit of all his legal rights. His cases are well held in hand, and the emergencies are very few that have not been carefully considered in their preparation.

Mr. Young was married to Augusta A. Young, June 3, 1866, by which marriage there is one son, George B. Young.

JAMES T. ALLEN.

By MAJ. JOSIAH GROUT.

THE subject of this writing was born in Hydepark, Vt., February 3, A. D. 1830, and was educated in the common school and Johnson Academy.

His father's name was Ira Allen, and his mother's maiden name Eveline Page, sister of Hon. Russel S. Page of Hydepark. James T. spent his childhood and youth on the farm with his father in Hydepark, commencing life for himself as a merchant in Eden, afterward trading in Morrisville. At one time he traveled the road with a pedler's cart, and it is said successfully. He was a deputy sheriff in Lamoille county, and while occupying such office read law with Childs & Benton, lawyers at Hydepark, being admitted to the Lamoille county bar at the December term, A. D. 1862.

He opened a law office at Newport, Orleans county, in the fall of 1863, where he continued in active practice until his death in 1876. He was court auditor for Orleans county under the county plan for a number of years. In 1850 he married Sarah Ordaway, who deceased in 1865. By this marriage he had one child, a daughter. He again married a Mrs. Keith, whose maiden name was Lizzie Shattuck. Thus briefly have we the life of our subject, in the outline, of his deeds and doings, although not as full of years as many, for he was cut down in the full vigor of his powers, yet as replete as most with activity. Mr. Allen was more successful as a lawyer than in any of his other undertakings. He had not the accomplishment of finished scholarly attainments, and made no pretensions in this direction, but relied more upon common sense and good judgment, which he possessed in degree sufficient to render him reasonably clear and fairly successful in the management of his cases. He was forceful and fearless, espousing all his work with all his might. He had a happy faculty of gathering business, and after the first years of his practice never lacked for work to do. He frequently had cases in the United States courts, where he always contended for his positions with vigorous reasons, and sustained himself as well as the average lawyer in such places. He had quite a full practice under the National Bankrupt act, and was always fully occupied while in practice at Newport. He will be remembered by those who had his acquaintance as an energetic, aggressive, determined man.

GEORGE W. TODD.

THE subject of this sketch was born in Rindge, N. H., November 19, 1828. He was educated at the academies in Jaffrey and Marlow, N. H., and at Brattleboro, Vt., and also under private tutors. After being a student of medicine for two years he relinquished the same for the study of law, which he pursued at Winchendon, Mass., and with the late Chief Justice Edmund L. Cushing, LL. D., at Charlestown, N. H. Subsequently he was graduated from the state and national law school at Poughkeepsie, N. Y., and was admitted to practice in that state, and afterward in Orleans county, Vt. After being engaged a few years in that profession he abandoned it to become a teacher. For seven years he was principal of the Orleans Liberal Institute at Glover, Vt., three years at Marlow Academy, one of the high school at Edgartown, Mass., and three years each of the Lenox and Great Barrington high schools of the same state. He then became principal of the McCollom Institute at Mount Vernon, where for six years he kept the well-known academy in the front rank in prestige and prosperity. Mr. Todd had served for fourteen years altogether upon school boards in the various places where he had resided. In politics he was a republican, but was so engrossed in educational matters that he gave but little attention to civil affairs. In 1857 he was chosen a representative to the legislature from Rindge and re-elected in 1858, only two votes being cast against him the latter year. He was elected a state senator from the Amherst District in 1879, and served a biennial term with distinguished credit. Mr. Todd married twice—the first time to Mary Ann Blodgett of Jaffrey, N. H., and the last time Sarah J. Chapin, daughter of Deacon Harvey Chapin of Holyoke, Mass., who survives him, but with no children. In the death of Mr. Todd his state loses an honorable and upright man, one who had gained for himself an enviable rank as an educator, and who had served with distinction in both branches of the legislature.

RILEY E. WRIGHT.

RILEY E. WRIGHT, the son of Erastus and Mary A. (Fair-brother) Wright, was born at Westminster, Vt., July 24, 1839. When he was about three years of age his parents moved to Coventry, Orleans county. His primary education was obtained



Riley Smiley.

at the common schools, and the academies of Coventry, Glover and Derby, attending school spring and fall and teaching winters. In 1859 he went to St. Hyacinthe, Canada, to study and perfect his knowledge of the French language, remaining there and at St. Rosatia until well versed in that language. In the fall of 1859 he went to Powers Institute, Bernardstown, Mass., where he remained about a year as the teacher of the French language in that institution, and also at the same time pursuing the study of Latin and Greek. In the summer of 1861 he was examined for and entered Dartmouth College, intending to return and complete a collegiate course of study there, but instead of so doing, in September of that year he entered Middlebury College, and remained there one year, or until the fall of 1862. At this time the great struggle between the North and the South being the all-absorbing topic, and the call for troops ever ringing in his ears, young Wright concluded to abandon his studies and answer his country's call. He returned to his father's house in Coventry, and in less than one week's time, with the help of some others, succeeded in recruiting a full company, which was mustered into service as Co. H, 15th Vermont Volunteers, of which company young Wright was elected captain. He served faithfully in this capacity until the summer of 1863, when he was mustered out, and early in the fall of that year he entered the law office of the late Judge Benjamin H. Steele at Derby Line, and was admitted to the bar of Orleans county December 31, 1864. In April, 1865, Mr. Wright removed to Baltimore, Md., where he has been engaged in the active practice of the law to the present time, having been employed in many of the most important cases of his city and state. Among the more important ones with which he has been identified as attorney may be mentioned that of *Brant vs. Ehlen, et. al.*, reported in the Fifty-ninth Maryland Reports, involving about \$200,000. Mr. Wright represented the principal defendant. He was also counsel for Gen. E. B. Tyler, late post-master of Baltimore City, against whom charges were preferred in 1879, during President Hayes' administration. The charges were of a venomous and scandalous nature, but generally believed to have been inspired by personal and political enemies. The investigation lasted for some thirteen weeks. The fight was hot, and the charges were pressed with great vigor. The testimony was reviewed personally by the president. The investigation resulted in the

acquittal and entire exoneration of Gen. Tyler. At the time, the trial excited great interest and general attention not only in Maryland, but throughout the country. September 12, 1866, he married Mary E. Collier of Newport, Vt.

WILLIAM D. TYLER.

WILLIAM D. TYLER was born in Essex, Vt., March 17, 1824, the son of Daniel and Permelia (Farrand) Tyler. His education was obtained at the common schools of his native town and the Essex Academy. In 1854 he entered the office of Aaron and Charles Soule of Fairfax, for the study of the law. He remained there for a time, but soon engaged in farming and mercantile business, reading law as he could find opportunity, and was not admitted to the Franklin county bar until the April term, A. D. 1864. In April, 1865, he went to Irasburgh, and was appointed register, his brother, Milton R. Tyler, being judge of probate for the district of Orleans, and served until December, 1865. During this time Judge Tyler was obliged to be absent most of the time, and the duties of the office were performed almost wholly by our subject, and to the satisfaction of the district. After December he opened an office at Irasburgh, and has been in practice there since. As a lawyer Mr. Tyler is not distinguished as an advocate, but has excellent judgment and a good knowledge of the law, and it is in the department of counselor that he best succeeds. He also excels as a conveyancer. He was elected town clerk for the town of Irasburgh in 1868, and has held the office since. He represented that town in the legislature in 1874 and 1875, and it was largely due to his untiring efforts that the bill to remove the shire of Orleans county from Irasburgh was defeated. He was married September 1, 1855, to Mary E. Haynes of Plattsburgh, N. Y.

JOSIAH GROUT.

THE subject of this biography was born at Compton, Canada, May 28, 1842. His parents were Josiah and Sophronia (Ayer) Grout. His father was of English ancestry, which had resided in this country upwards of a century at the time of his birth. His



Josiah Gort

mother descended from that good old Scotch-Irish stock which figured so prominently in the early settlement of the country. Thus combining closely the elements of fearless manhood and sterling integrity, these parents were married at St. Johnsbury, from whence, after a brief stay in their new life they removed to Compton. Residing in the Dominion a few years, they returned to the town of Kirby, where his father secured the family homestead near St. Johnsbury East, which is still kept in the family name.

Upon these ancestral acres he reared a family of ten children, of which Josiah was the fourth, and there he passed his boyhood, contending with propositions of farm life. His education was limited to the common school, with a partial academic course.

The large family, the limited means, and extensive farming operations of his father rendered it necessary for the children to share their time and toil in the industrial endeavors of the home. This Josiah faithfully did, performing cheerfully his full share of the farm work, attending the district school as he could be spared. He industriously made the most of a few privileged terms at the academies of Glover and St. Johnsbury, from which latter institution in October, 1861, not yet twenty-one years of age, overflowing with the love of country, he enlisted in Co. I, 1st regiment, Vermont Cavalry. Upon the organization of his company he was chosen second lieutenant, in the following May was promoted first lieutenant, and on the first day of April, 1863, was commissioned captain of his company.

In a cavalry fight with Mosby at Broad Run, Va., on the same first day of April, he was severely wounded, from which, and his impaired health that followed, he was honorably discharged in October following.

Under the governor's call for troops occasioned by the St. Albans raid, Capt. Grout raised a company, was made its captain, and on the organization of the frontier regiment of cavalry, he was appointed one of the majors. With this rank he was in command of the post at St. Albans until the war closed in June, 1865.

Upon retiring from the army he resumed the study of law at Barton in the office of his brother, William W. Grout, and at the December term, 1865, was admitted to the bar at Irasburgh. For about a year he was in partnership with his brother in law practice and publishing the Orleans Independent Standard.

In November, 1866, he was appointed deputy collector of customs, and stationed at Island Pond. He continued to hold this office, being stationed at Island Pond, St. Albans, and Newport until the spring of 1872, although his home was at Newport after 1869. In October, 1868, he was married to Harriet Hinman, daughter of Aaron Hinman, one of the oldest and best families of Orleans county, and they have one son, Aaron Hinman Grout. In 1869 he formed a copartnership with L. H. Bisbee of Newport, under the firm name of Bisbee & Grout, for the practice of the law, which continued with a large and lucrative business until 1871, when Mr. Bisbee removed to Chicago.

Theophilus Grout, a brother, then entered the firm, and continued until the spring of 1875, when Josiah followed the example of his former partner, Mr. Bisbee, and removed to Chicago. He practiced law in Chicago with good success for three years and then removed to Moline, Ill., where he engaged in the manufacture of scales. A stock company was formed for that purpose, of which Mr. Grout was president and business manager, a position which he still holds. In 1881 he returned to Vermont and purchased the old Hinman homestead at Derby, one of the best farms in Orleans county, with extensive farm buildings in the village of Derby Center, where he now resides. Mr. Grout's highest aim has been to make his broad acres produce to the highest extent, and to fill his pastures and stables with the choicest flocks and herds in the land, giving to his agricultural pursuits here, and his manufacturing interests West, his entire attention.

Although not a politician according to the common acceptation of the term, Maj. Grout has been several times honored with places of public responsibility and trust. In 1872 he was elected representative from the town of Newport, and re-elected in 1874. He was an active and prominent member both sessions, serving on the judiciary and other committees. At the close of the session of 1874, Hon. H. Henry Powers, the then speaker, having been elected one of the judges of the supreme court, and having resigned the speakership, Maj. Grout was elected to fill the vacancy. During his residence in Moline he was elected supervisor of Rock Island county for Moline. In 1884 he was elected representative from the town of Derby.

As a lawyer Maj. Grout grew rapidly from the date of his admis-

sion to the bar, and was universally popular with the bar and the people, and at the time of his leaving the state was one of the most successful lawyers in the county. He was noted for preparing his cases carefully, and trying them with masterly skill. He was clear and logical in the statement of the law in the higher courts. He was especially successful in the trial of jury causes. His arguments were plain, direct and forcible. His powers of repartee and sarcasm were great, but these faculties were used with good taste, and their exercise always restrained within the bounds of courtesy. His language was usually simple, but his choice of words was felicitous, and when excited his expressions became eloquent, and his manner corresponded to his thought. As a citizen he holds the respect and confidence of all who know him. In social life he is genial and companionable, warm in his attachments and firm in his friendships, a gentleman liberal in all his views.

HENRY C. BATES.

By ELISHA MAY, ESQ.

THE subject of this sketch is the son of Lewis C. and Lucy A. (Dodge) Bates, and was born at Derby, Vt., January 29, 1843. The parents were possessed of great integrity and industry, and more than common intelligence. The mother is now (1886) living, at the advanced age of eighty years, and is in possession of all her faculties. His early history is a mere repetition of that of a majority of those in the profession of law. Brought up to labor on the farm, he attended the common schools, and when they no longer afforded the necessary instruction, he pursued a course of study at the academy at Derby, Vt.

This old school has sent out a large number of strong men and women. Like many other academies in Vermont, it reflects great credit upon the system which grew and flourished at the commencement of the present century.

Some of the greatest men, at some time in their lives, were either pupils or instructors in the academy. The most celebrated American—excepting, perhaps, Benjamin Franklin—taught for a time in an humble academy in Fryeburg, Maine.

The instruction Mr. Bates received at Derby was thorough. He

then taught in the common schools and in the Essex County Grammar school, read law at Charleston, Vt., in the office of Edwards & Dickerman, and in December, 1866, was admitted to the bar in Orleans county. During the rebellion he served the country as a member of Co. C, 4th Massachusetts Heavy Artillery. Married to Miss Laura E. Jenness, March 10, 1866, he moved his household goods to Wheelock in 1867, remained there a short time, and thence removed to West Concord and Guildhall.

At the last place he remained till 1873, where he formed a partnership with O. S. Burke, and practiced his profession at St. Johnsbury, Vt., as a partner of the firm of Burke & Bates till Mr. Burke's death in September, 1876.

Till 1882 he conducted a large and increasing practice, when he became senior partner in firm of Bates & May. In 1870 Mr. Bates served as census enumerator in Essex county, and in 1880-82 as state's attorney of Caledonia county. At present he is the nominee for first senator in the same county.

While practicing his profession in Essex county, Mr. Bates made for himself a reputation of a first class jury lawyer. This was done in the only possible way, viz: By the most careful study of the law and facts of each case.

In the case of *State vs. Knowles*, charged with arson in burning Norton mills, tried before Judge Peck in 1869 or 1870, the qualities of a good lawyer were conspicuously shown. The defense was insanity, and the case required much prudent management. This it had, and the prisoner was acquitted.

The power to see and develop the strong points of the case on trial has been Mr. Bates' strongest characteristic. He is not and never has been a technical lawyer. In training as well as of make up, he is of broad gauge type. A plea in abatement he shuns, if possible, in a legal discussion, and the mint and cummin of facts in a jury trial are never alluded to, but he rather speaks of the weightier matters.

He possesses a faculty somewhat rare, that of commanding the confidence of juries before whom he appears. They say they think him honest.

The court give him attention while he discusses questions of law, and this evidently upon the ground that while he may err as to conclusions, he never strains at the gnat and swallows a camel.

Another characteristic of Mr. Bates is his love of fun. Himself a wit of no mean order, he appreciates it highly in others. In argument he at once sees the veins of fun, if any, in it, and works them for all they are worth.

No man ever won verdicts from hostile juries who has neither wit nor the sense of the ridiculous in his make-up. Ridicule is never so effective as humor. One wounds and the other does not.

The great lawyer is always cool and self-preserved. Mr. Bates never loses his head. When his opponent lets him fall he strikes upon his feet; some very good lawyers when switched off the main line of a case are not able to get back the same day. This the opponents of Mr. Bates never do. He is full of resources, and has these resources well in hand.

Each year's practice has taught its lesson, and these lessons have been well remembered. No opponent catches Mr. Bates in the same trap a second time.

Wary, careful and vigilant, Mr. Bates prefers the defense, not because of cowardice, but because his mind is conservative.

To persons not acquainted with his peculiarities, and his moods and habits, Mr. Bates may appear unsocial, and not interested in the affairs of the world. A more mistaken notion was never entertained. He is deeply interested in all moral and social questions of the day, and he is particularly so in regard to the history of the late war and the soldiers.

Like many other attorneys, Mr. Bates leads an active, busy life. Cheerful and helpful, he commands the confidence of all who know him.

C. HENRY BENTON.

C. HENRY BENTON, the son of Reuben C. and Almira (Fletcher) Benton, was born at Lunenburg, Essex county, Vt., February 26, 1841. His primary education was obtained at the common schools and academies of his native county, and he entered the University of Vermont at Burlington in 1860 when nineteen years of age, and continued there until his patriotism would not allow of his remaining longer, and he enlisted as a private in Co. D, 5th Vermont Volunteers, and was mustered into service September 16, 1861; he served in various capacities three

years, and was mustered out in the Shenandoah Valley, September 16, 1864. He returned to Vermont and read law with his brother, Col. R. C. Benton at Hydepark for a time, when he entered the law school at Albany, N. Y., taking a full course, and was admitted to practice in all the courts of New York by the supreme court at Albany on May 6, 1866. Returning to Vermont he was admitted as a member of the Lamoille county bar at its May term, A. D. 1866, and November of that year commenced the practice of his profession at South Troy, Orleans county. Mr. Benton soon became known as a skillful and successful attorney, but was not contented with the limited law business of that agricultural region, and in October, 1871, he removed to Minneapolis, Minn., where an ample field presented itself for the display of his talent and energy. He at once took front rank among the attorneys of that city, and today is one of the ablest. In the words of another, independence, firmness, resolution and discretion are his salient points, and of these three the first is the most prominent.

He possesses this to such a degree that his exterior is rough and uninviting; but withal, back of this is one of the kindest and most sympathetic hearts, fearless, conscientious and honorable. He is able in all departments of law, but has become famous in his trials, both in jury and court cases. His independence has been the cause of few public honors. Only once has he become a public servant. He was elected to the city attorneyship of Minneapolis, and served the city well. He has an enviable reputation in lumber litigations throughout the Northwest. One of his great efforts was at the time when, as a specially retained counsel to assist the city attorney, he defended the city in the celebrated Manitoba bond case. His brother, Col. R. C. Benton, being counselor for the Manitoba Company, became his opponent in the case, and the legal tilts between them on the trial were terrific at times. It was largely through his assistance that the city was relieved from paying the bonds. Mr. Benton was married June 25, 1866, to Flora E. Hadley of Hydepark, who with two children died before he left Vermont. November 24, 1874, he married Jeannette Graham at Minneapolis, and has three children—Crissie M., Harry G. and Mabel.

CHARLES BOARDMAN DAGGETT.

THE subject of this sketch was born in Farmington, Maine, August 31, 1843, and is the son of Samuel and Julia (Jones) Daggett. His grandfather and great-grandfather were both sea captains from Martha's Vineyard. Mr. Daggett commenced his education at the common schools and Farmington Hill Academy, and at the age of sixteen he entered Bowdoin College, from which he graduated with honor in the class of 1863.

He went to Canada in 1864, and was principal of the Cassville High School one year, where he met Miss Anna M. Hill, whom he married March 3, 1865. He was also principal of the Barnston Academy. He studied law with Benjamin H. Steele of Derby, and was admitted a member of the Orleans county bar at its June term, 1866, and the same year was admitted to practice in Franklin county, Maine. Soon after his admission he opened an office at Derby Line, where he remained about two years, in the main closing up the unfinished business of Judge Steele, he having been appointed one of the judges of the supreme court. When he left there it was to go to Chicago, Ill., where he experienced all the trials and hardships so many young lawyers meet in large cities, but perseverance and hard work won. He secured a very good business, and in 1871 he was appointed a justice of the peace on the south side, and held the office, a very lucrative one, for four years. He died of apoplexy November 6, 1875. Mr. Daggett was always very scholarly, and became a very thorough and well read lawyer, which well fitted him for the position of justice which he occupied.

GEORGE N. DALE.

By B. F. D. CARPENTER, ESQ.

GEORGE N. DALE was born at Fairfax, Vt., February 19, 1834, and is now fifty-two years of age. When he was but six months old his father removed his family to the town of Waitsfield, Vt., where the subject of this article resided until he became twenty-one years of age.

His early life may be aptly described by Isaiah's striking Hebraism "First born of the poor," that is, inheriting as the first born

did, his father's wealth, a double portion of poverty's negative endowments, but to one who inherited qualities worth bringing out these all proved sharp stimulants, so that by force of all these adverse circumstances young Dale at an early age was called upon by that necessity that knows no other law but that of unquestioning obedience, to take part in that incessant toil which falls to the lot of a very poor boy in the country. His boyhood may best be described as one of severe protracted physical labor, and he was very scantily furnished with the time to attend the common schools, his opportunities in this respect being "like angel's visits, few and far between." But these occasional and interrupted seasons at school in the winter time, and such other aids as the weekly newspapers, such books as he could borrow and find time to read, and above all the ideal dreams of something better and more satisfying in the future than the dull tread-mill of that hard, unsatisfying life, had fitted him to take the first step of vantage ground, that of a teacher in the "district school."

He very soon became famous for the order and discipline maintained in his schools. Possessed of a grand physique, he could fight, if necessary, and when compelled to assert his individuality there never was any doubt as to the result, observing the advice of Polonious, "Beware of entrance to a quarrel; but being in bear it, that the opposer may beware of thee." Hence he was called upon to manage and control what were termed the "hardest schools," where exuberant young America had compelled an ignominious capitulation on the part of pedagogue, but it is supererogation to say that the subject of this sketch never surrendered, but successfully completed each contract of service to the mutual profit of teacher and pupil.

Before arriving at this period in his life he had determined upon his future employment and life work, and toward the accomplishment of this purpose he had been making such progress as the circumstances of his condition allowed. At some time he had attended a court, and had witnessed a hotly contested suit at law, and had drank in and become permeated with all its dramatic elements, the keen encounter, the array of contending forces, the gradual enrolling of the proof in the case, charges and counter charge, the application of legal principles to the mass of facts, assorting, arranging, and applying them to the various rights of the parties litigant, the

verdict so bravely fought for ; and the keen black-eyed lad, captivated and enchanted as by the perusal of an Arabian legend, makes choice of the profession of the law as that to which his future manhood should be devoted. .

The money earned by teaching in the winter seasons and by manual labor at other times was economized, and devoted to defraying the expenses of two or three years' instruction at Thetford Academy, and to the special study of the law. At the academy his limited means compelled him to pursue alone those branches of study which he regarded as the most necessary and beneficial in the practice of his chosen profession.

After completing his course of study at the academy he commenced the study of the law in the office of Messrs. Dillingham & Durant, and having read law the required length of time he was admitted to practice at the March term, 1856, of the Washington county court. In December following he borrowed money to defray his expenses, and removed to the town of Guildhall and formed a partnership with Hon. William H. Hartshorn, which continued about two years. He soon became very much attached to the place and the people, and was rewarded with a growing and lucrative business until the year 1861. During the period last mentioned, Mr. Dale was state's attorney for the county of Essex most of the time. He was elected representative of the town of Guildhall in 1860, for the purpose of opposing the proposed dismemberment of Essex county, and participated in the memorable session of the legislature in April, 1861.

In June of the same year he was appointed deputy collector of customs for the port of Island Pond, and retained that position until 1864, when he was elected to the state senate, to which he was re-elected in 1865-6-7-8 and '69. In 1870 he was elected lieutenant-governor. In 1871 he was reappointed deputy collector of the port of Island Pond, which position he held until he resigned in 1882. In November, 1885, he was elected president of the Vermont Bar Association.

In 1866, upon the election of Judge Steele as a member of the supreme court, Mr. Dale had extended his law practice to the counties of Caledonia and Orleans, and had become widely and favorably known as a sound, prompt, and reliable lawyer, and more especially as a jury advocate. He was substituted for Judge Steele

in the copartnership of Steele & Robinson, under the name of Dale & Robinson, having offices at Derby Line and at Barton. Soon after he formed a partnership with the writer of this article, having an office at West Charleston, and continued these several business connections for quite a number of years, keeping his own office at Island Pond where he now resides, practicing his profession. Mr. Dale may truly be said to be the architect of his own position ; starting from the point where he was a poor, friendless boy, his early struggles for improvement, thence to the numerous positions of public trust and honor which he has been called upon to fill, and as to the performing of their several duties, it is but the merest justice to say that they have all been well done, and adding to this the busy life of a lawyer in full practice, the review cannot but reflect credit upon him in every way. It is not flattery to say, that Mr. Dale has always, on every occasion, exhibited the finest sense of personal honor and honesty, and this joined to a frank, generous spirit and large-heartedness of manner has contributed to his well earned personal popularity, and also has endeared him to all those who have been so fortunate as to esteem themselves his friends. He is a powerful and effective speaker, and because of his magnetism of manner commands the attention of juries, because he makes his client's case his own, and brings to the trial of the cause a zeal and earnestness which could only come from a conviction that he was right. He has been successful in winning and holding the confidence of clients and of the community in the honesty, soundness, and safety of his counsel.

The success which has crowned his efforts is the legitimate fruit of the constancy and diligence with which he has striven to perform each duty as it presented itself, and his life illustrates that wealth of opportunity which American laws and institutions affords for distinction to all those who, having selected a profession, follow it with steadiness of purpose, close application, and industry and honesty of practice.

DAVID K. SIMONDS.

DAVID K. SIMONDS was born April 5, 1839, at Peru, Bennington county, Vt., where his parents, David and Anna (Byam) Simonds resided at that time. His father came from Gardner, Mass., about the year 1800, when he was a mere boy, his grandfather being one of the early settlers of Peru. David was educated at the common schools, and prepared for college at Burr Seminary, Manchester, Vt.; entered Middlebury College in 1858, and graduated, fourth in his class, in 1862. During his college and preparatory course he paid his way to some extent by teaching. The fall term of his junior year in college he taught a high school at Westfield, Orleans county, in company with Prof. M. F. Varney, and in the following winter taught at North Troy. In the spring of his senior year he commenced teaching the academy at Champlain, N. Y., and continued after his graduation until the summer of 1863. Notwithstanding he was obliged to take three absences from college to pay current expenses, he kept well up in his class. In August, 1863, he went to Memphis, Tenn., and engaged as city editor on the Memphis Daily Bulletin, which position he filled about six months, and then enlisted in the Tennessee state troops, where he served a short time. He then served as war correspondent for the Chicago Tribune and St. Louis Republican until very near the close of the war. While teaching at Champlain, N. Y., he entered the law office of Charles E. Everst, and devoted what time he could spare to the study of the law, and after his return from the war he resumed the study of the law with Crane & Bisbee at Newport, Vt., and was admitted to the bar of Orleans county at the June term, 1866. He opened an office at Newport, and occupied himself in the practice of law until the summer of 1869. While at Newport he, in company with Royal Cummings, started the Newport Express, of which he was the editor. After about two years he sold his interest in the paper to D. M. Camp, the present editor and proprietor.

The newspaper business being more to his taste than the law, in 1869 he went to St. Johnsbury, and in company with E. L. Hovey started the Times, of which he was editor. The next year he sold out and went to Bennington, where he engaged as editor to the Banner. In 1870 he went to Manchester and purchased the Jour-

nal, which he owns and edits at the present time. In 1873 he was elected town clerk, and has held the office since. In 1876 he was appointed postmaster of Manchester, and held the office during the republican administration, and he has also held the office of register of probate.

Mr. Simonds has always taken a great interest in everything pertaining to schools and education, and has ever, not only with his paper, but personally, done all that he could for their advancement. In politics he has always been a staunch republican. Mr. Simonds was married in 1873 to Ellen L. Clark, daughter of Rev. Asa F. Clark of Leverett, Mass. They have two children, a son and daughter.

SOLOMON W. DANE.

SOLOMON W. DANE, the son of Joseph and Jane Wheeler Dane, was born in Danville, Vt., August 13, 1837. During his boyhood he was engaged, except while attending the district school, in assisting his father in the cultivation of the farm. As soon as he had the means he commenced the study of the law with Lewis H. Bisbee at Newport, and was admitted to the bar in that county at its December term, 1867, and immediately commenced the practice of his profession at Newport. He was soon appointed deputy collector of customs and stationed at Newport, which office he held at the time of his death, March 30, 1870. Mr. Dane was married September 12, 1858, to Lucretia M. Sias, who, with two children, Ernest and Laura, survives him.

GEORGE P. KEELER.

GEORGE P. KEELER was born in Burlington, Chittenden county, Vt., February 4, 1843, the son of Philip and Eliza (Watson) Keeler. His education was obtained at the common schools and the Chittenden County Institute at Essex Center. Upon the breaking out of the rebellion, in September, 1862, young Keeler enlisted from Irasburgh, Vt., into the Allen Guards, afterward Co. F, 11th Vermont Volunteers, Heavy Artillery. In 1865 he returned to Irasburgh, and went into the law office of John H.

Prentiss, where he pursued the study of the law until the 25th day of December, 1868, when he was admitted to the bar, and soon afterward opened an office at Craftsbury, Vt., for the practice of his profession. He remained there about a year, when he went West and settled at Waterloo, Jefferson county, Wis. He was soon elected city attorney for the city of Waterloo, an office which he held two years. In 1871 he went to Milbank, Lincoln county, Dakota, where he has been in active practice since. He has been district attorney for Lincoln county. Since Mr. Keeler has been in Dakota he has had a constantly increasing law business, in the management of which he has had excellent success. Mr. Keeler was married to Sarah A. Mead of Irasburgh, July 24, 1864, and has one child, Herbert James Keeler.

ISRAEL A. MOULTON.

THE subject of this sketch was born in Rumney, N. H., January 2, 1844. He was the son of Jonathan and Betsey Moulton. His mother was from Campton, and her maiden name was Betsey Avery. Israel attended the common schools, and afterward the academy at Coventry. In 1863 he went to Baltimore, Vt., where he was engaged for a while in teaching, and while there married Lettie Wright of Grafton, Mass. Soon after his marriage he entered the office of Hon. W. D. Crane of Newport, and was admitted to the bar of Orleans county at the December term, 1868, and at once emigrated to Kansas and commenced the practice of his profession. He died November 25, 1873.

LEONARD S. THOMPSON.

LEONARD S. THOMPSON, son of Truman and Louisa Thompson, was born in Richmond, Vt., August 26, 1842. When eleven years of age his father moved to Stowe, Vt. He received his first schooling at the Stowe High School, and afterward prepared for college at the Williston Academy, but owing to ill health did not take a collegiate course. In September, 1866, he moved to Irasburgh to teach school, and remained there in that

capacity, teaching at Irasburgh Common thirteen terms. During this time he began the study of the law with Charles I. Vail of that place, and was admitted to the bar of Orleans county at its September term, 1869, and the following February commenced the practice of his profession at Irasburgh. He continued alone for about one year. At the end of this time he formed a copartnership with Laforrest H. Thompson, under the firm name of L. S. & L. H. Thompson. This continued until September, 1873, when he moved to Stowe, Vt. He opened an office, and engaged actively in the practice of the law until quite recently. He was state's attorney for the county of Lamoille for the biennial term of 1874 and 1875. He represented the town of Irasburgh in the legislature in 1872.

CHARLES PARSONS ALLEN.

CHARLES PARSONS ALLEN, the youngest son of the late Hon. Ira H. Allen, was born at Irasburgh, Vt., February 16, 1844. He was a grandson of Gen. Ira Allen, the first treasurer of Vermont, to whom and his associates the town of Irasburgh was granted. The mother of Charles P. was Sarah C. Parsons of Highgate, Vt., a lady of fine character, rich mental endowments and rare worth. His father was largely identified with the development and prosperity of Irasburgh, and at his death, which occurred about the time Charles P. attained his majority, he left a very large estate.

Charles P. was educated in the common schools, at Kimball Union Academy, Meriden, N. H., and at Norwich University. He read law with Heman S. Royce of St. Albans, Vt., and was admitted to the Franklin county bar. Until a year or two before his death he resided at Irasburgh, and down to the time of his death treated it as his residence.

Having an ample fortune, he never engaged in the practice of his profession. Had the presence of poverty compelled him to rely upon his profession for his living, he, without doubt, would have succeeded in it, as he had many qualities of mind requisite for success at the bar.

His time was largely devoted to the management of his estate in Vermont, and in the latter years of his life to the management of a large and valuable plantation which he had purchased in Virginia.

He was liberal in assisting in the maintenance of the churches, schools, and other public institutions of his native town. He was a director in the Irasburgh National Bank of Orleans. He twice represented the town of Irasburgh in the legislature.

In 1875 he married Lizzie Pulsifer of Peoria, Ill., by whom he had one daughter—Lizzie Pulsifer Allen, now residing in Philadelphia, Penn.

For several years before his death, Mr. Allen suffered from a lung difficulty. Under the advice of physicians he spent, for his health, a winter in Cuba, and several winters in Florida and on his plantation in Virginia. He experienced temporary relief from such change of climate, but it soon became evident that he was doomed to be a victim of consumption, of which disease he died at St. Albans, Vt., May 30, 1877. His wife survived him but a few months, dying of the same disease. They were both brought to Irasburgh for interment, and there sleep side by side in the family burial lot.

Charles P. had many of the mental characteristics of his distinguished ancestor—Gen. Ethan Allen, and was somewhat like him in many of his religious views. He is said to have been the last living male descendant of Gen. Ira Allen, of revolutionary fame, as well as of his father, Hon. Ira H. Allen. Although the name thus perishes from among the living, it will ever have a place in the history of Vermont.

WILLIAM WATERMAN EATON.

THE subject of this sketch was born at Morristown, Vt., May 9, 1847, the son of Gustavus and Fanny (Waterman) Eaton. His primary education was obtained at the Morrisville Academy and at Montpelier. He subsequently attended the Episcopal Institute at Burlington. He studied law for a while with Brigham & Waterman at Hydepark, and then took a course at the Albany Law School, where he graduated. Upon his return he was admitted to the bar of Lamoille county, and commenced the practice of his profession at Greensboro in the fall of 1869, where he remained some three or four years, when he removed to West Concord, Vt. He there engaged in the practice of the law until his death, which took place September 17, 1876.

FRED GILMAN.

THE subject of this biography was born in Piermont, Grafton county, N. H., the son of Zeeb and Navini (McNeal) Gilman. His early education was obtained at the common schools of his native town and Bradford Academy. Subsequently he attended Kimball Union Academy at Meriden, N. H., from which he graduated in June, 1867. In the fall or early winter of 1867 he commenced the study of the law with Powers & Gleed of Morristown, Vt., to which place his parents had removed. He remained there in the study of the law until he was admitted to the bar of Orleans county at the February term, A. D. 1870, Judge Benjamin H. Steele presiding, and in April of that year went West and located at Ackley, Hardin county, Iowa, for the practice of his profession. He remained there until February, 1886, when he removed to Newton, Iowa, and formed a copartnership for the practice of the law, under the firm name of Stahl Bros. & Gilman. Mr. Gilman's practice has always been quite large, and it can truly be said that he has been very successful. Mr. Gilman was married June 2, 1873, to Miss Cora Burns of Ackley, and has three children—one son and two daughters—Lou Gilman, born November 4, 1874, F. Burns Gilman, born April 2, 1876, and Roy Gilman, born October 5, 1884.

WILLIAM R. ROWELL.

WILLIAM R. ROWELL, the son of Hon. A. J. and Lucy A. (Richardson) Rowell, was born at North Troy, Vt., March 18, 1844, and attended the common school of that village and Missisquoi Valley Academy. Subsequently he attended the "New Hampton Institution" at Fairfax, Vt., for a year. In the winter of 1860 he taught school in Mansonville, P. Q. In the spring of 1861 he was appointed a cadet at the United States Military Academy at West Point on the recommendation of Hon. Homer E. Royce, member of congress from the third congressional district of Vermont, and entered that institution in June of that year. In the winter following he resigned his cadetship, and entered the army with his father, Hon. A. J. Rowell, who was on the staff of Gen. Grover, and remained there until the fall of 1862, when he returned



W. R. Russell

home. In the fall of 1863 he enlisted as private in the 3d Battery of Light Artillery of Vermont Volunteers, and was mustered into service as first sergeant in January, 1864. Soon afterward the battery was ordered to Camp Barry, a camp of instruction near Washington, D. C., for drill, equipment, etc. In the early spring the battery was ordered to the front and attached to the 9th Army Corps in the Army of the Potomac, and remained in that army until the war ended with the surrender of Lee's army at Appomattox court-house. In July, 1864, young Rowell was promoted to be second lieutenant, and in the winter of 1864 was promoted to be first lieutenant of the battery, and commanded the battery a portion of the time in the winter and spring of 1865.

Of their gallant conduct on the 25th of March, 1865, Capt. Romeo H. Start, in the adjutant and inspector-general's report of Vermont for 1865, appendix "C," page 50, says: "On the 25th of March it was decided to advance the picket line in front of Fort Fisher. The movement commenced near mid-day, and, contrary to the general opinion, the enemy contested the advance very stubbornly. The advance of our infantry was so much annoyed and retarded by a battery nearly in front of Fisher and beyond the effective range of its guns, that it was decided to move out a section of artillery to silence this troublesome battery; so a section of this battery from Fisher, under the command of Lieut. William R. Rowell, was ordered to move forward upon the skirmish line, and report to Brevet Brigadier-General Jas. M. Warner, commanding the troops of the 6th corps, operating in our front. The order was obeyed by Lieut. Rowell with commendable promptness and energy, under a severe artillery fire from the enfilading batteries of the enemy on the left of Fisher. In obedience to orders from Gen. Warner, Lieut. Rowell took up a position within seven hundred yards (and in advance of the skirmish line) from the enemy's battery in question, and at once opened fire, to which the enemy vigorously replied. This artillery duel lasted some twenty minutes, when the enemy's guns were silenced by the well directed fire of Rowell's guns, and the troops moved forward and occupied the desired position. The object of the movement having been attained, Lieut. Rowell was directed by Gen. Warner to return to Fort Fisher with his section. During this skirmish the section suffered no loss in men or material. The conduct of Lieut. Rowell and the men of his section on

this occasion was such as to elicit from Gen. Warner a very complimentary notice for gallantry." On the 2d day of April a severe engagement took place in front of Fort Fisher, in which the same report says: "The behavior of officers and men during the entire day was splendid. Lieutenants Rowell and Perrin deserve special mention for coolness and gallant conduct during the entire day." At the close of the war Lieut. Rowell came home, and the following winter taught school in his native village. In November, 1866, he was appointed deputy collector of customs for the port of Troy by Gen. G. J. Stannard, collector, which office he held for three years, during which time he pursued the study of the law, under the direction of Hon. H. C. Wilson of Troy. In 1869 he resigned as collector of customs and attended the Albany Law School, taking a full course and graduating from that school, and at the same time was admitted to the bar of the state of New York. In September, 1870, he was admitted to the bar of Franklin county, and soon afterward entered upon the practice of his profession at Springfield, Vt., where he remained two years, one year of which he was in partnership with Hon. Samuel W. Porter. In the fall of 1872 he returned to North Troy, and opened an office for the practice of his profession. In 1876 he was elected state's attorney for the county of Orleans and held the office one biennial term, during which period there was a very large docket of criminal causes, including the celebrated Hayden murder case, which was tried and Hayden convicted during his term of office. He discharged the arduous duties of the office with great credit to himself and the satisfaction of the county. In the fall of 1880 he was again appointed deputy collector of customs for the port of North Troy, and about the same time was appointed aide-de-camp to Gov. Roswell Farnham with the rank of colonel. The office of collector he held until 1886. Col. Rowell, during his long service, conducted the affairs of this office with fidelity. In private life, also, he sustains a manly, upright character, and is universally esteemed for his frank, honorable dealing. He was married May 20, 1886, to Miss Imogene Gleason of Methuen, Mass.

MYRON HAWLEY FULLER.

By COL. WILLIAM R. ROWELL.

MYRON HAWLEY FULLER, son of Warren and Emily R. Fuller, was born in Waterville, Vt., February 12, 1846. When he was about five years old his parents moved to North Troy. His preparatory course was taken at St. Johnsbury, and Meriden, N. H. While he was fitting for college he taught school in the town of Troy one or two terms. He entered Dartmouth College in 1865, graduating from there in 1869, and was elected class poet of his class. During his collegiate course he spent his vacations in teaching singing schools in various places in Massachusetts. He studied law in the office of Edwards & Dickerman at Derby for about one year, and afterwards with Hon. John L. Spring of Lebanon, N. H., and was admitted to the bar in this county at the February term of the county court in 1871. He was offered a partnership in the practice of law with Hon. J. L. Spring, before referred to, but his health being poor his physicians advised a change of climate, and he went to Kansas in the spring of 1871. He was at Topeka for a short time, but finally settled down at Wyandotte, and commenced the practice of law. He soon gained a good practice, having had some assistance from the late Jesse Cooper, formerly from this county, but who had been practicing for some years at Wyandotte, and was then about retiring from an extensive business. At a celebration on the 4th day of July, 1872, at Wyandotte, Mr. Fuller delivered an oration, which was very highly spoken of by the press of that vicinity. He had a decided genius for music. At the age of four years he could sing several tunes through correctly. When about twelve years of age his father sent him to St. Albans for three months, where he was under the tuition of Prof. D. A. Winslow, which is all the regular instruction he ever had in music. He was a fine singer, and was the leader of his class in college in all musical entertainments. April 28, 1871, he married Miss Emma C. Heaton, who went to Kansas with him. In 1873 his health having failed, he closed up his business and came East, and died February 15, 1874, of consumption, at his father's house in Newport. In early life he made a profession of faith in the Savior. He united with the Congregational church while in Wyandotte, and died peacefully in the triumphs of the Christian faith.

THEOPHILUS GROUT.

THEOPHILUS GROUT, the eighth child of Josiah and Sophronia (Ayer) Grout, was born at Compton, P. Q., September 3, 1848. His family is traceable as far back as 1640 through official records, which show the reputable positions occupied by branches of the family. In direct descent he was the fifth from his first American-born ancestor, Capt. John Grout, who was a surgeon in Watertown, Mass., as early as 1640. He left Jonathan, born March 15, 1658, who settled in Sudbury, where he married Abigail Dix, by whom he had seven children. Of these John, born October 14, 1704, was a successful lawyer. He married Joanna Boyngton and had children. His son Elijah was born October 29, 1732, settled in Charlestown, N. H., about 1766, served as commissary in the revolutionary war, was twice married, and was the father of eleven children. Theophilus, his son, born August 29, 1768, and the grandfather of our subject, was one of the first settlers of the town of Kirby, Vt., locating as early as 1792 on a tract of land in the extreme southwest part of the town on Moose river, which was ever after the family homestead. He was a prominent man in the public affairs of the town from the first; was a member of the legislature, justice of the peace, and a collector of United States revenue in different periods of his life. He married Joanna Willard, and was blessed with eleven children, and died in 1852. Josiah, son of Theophilus, was born October 20, 1805; married Sophronia Ayer, September 29, 1830, and soon moved to Compton, P. Q., where he resided a few years and returned to Kirby, settling on the old homestead, where he reared a family of ten children.

The early history of our subject was like that of most boys in his position. He attended the common schools and the academies at Newbury, McIndoes Falls and St. Johnsbury. He was obliged to teach to pay his way to some extent, and prior to 1870 had taught in Barton, Concord, Passumpsic and Brighton. In the spring of 1870 he commenced the study of the law in the office of Bisbee & Grout at Newport, and by close application passed a creditable examination, and was admitted to the bar of Orleans county at the September term, A. D. 1871, and September 14, 1871, was appointed inspector of customs at Newport. In about one year he formed a copartnership with his brother, Maj. Josiah Grout, for the



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practice of the law at Newport. This continued with a large and lucrative practice until the spring of 1875, when his brother removed to Chicago, Ill., since which time he has practiced at Newport on his own account, with the exception of the one year, 1877, when he was in partnership with Charles A. Prouty.

Mr. Grout was elected state's attorney for the county of Orleans for the biennial term of 1878 and 1879, and was elected representative for the town of Newport in 1880 and 1881. In this body he took a leading and influential position, serving on the committee on revision of laws and on joint rules, championing and advocating some of the most important measures to become the laws of the state. He has made his profession a success, not only while with his brother, but since he has practiced alone, and he has one of the best law libraries in Northern Vermont. He is an affable, generously endowed gentleman, and has won the esteem and confidence of those with whom he has associated. In religious matters he is an earnest and effective worker, being a zealous member of the Episcopal church, and to his liberality, energy and perseverance, as much as to that of any other, is that society indebted for their beautiful church edifice and their flourishing condition. In politics he has always been an ardent republican. He was married November 25, 1873, to Ellen A. Black, an estimable lady from the South (Texas), and they have two children, Charles T. and Addie L. Grout.

LYMAN MUNSON SHEDD.

THE subject of this sketch was born in Boston, Mass., December 8, 1842, the son of John Haskell and Eliza (Gilman) Shedd. His education was obtained at the public schools of Boston, and subsequently at the Lawrence Academy at Groton, Mass., and in 1861 he passed a very commendatory examination for admission to Harvard College; but the war of the rebellion having begun, young Shedd determined to answer his country's call, and enlisted in the 60th Regiment of New York Volunteers, and was mustered into service September, 1861, as second lieutenant of Co. I of that regiment, where he remained until the latter part of 1862, when, on account of impaired health, he resigned. Upon his return to Boston he commenced reading law, and closely applied himself

to its study until he came to Vermont, and entered the office of Edwards & Dickerman at Derby. At the September term, A. D. 1871, he was admitted to the bar, and very soon commenced the practice of his profession at Newport. He remained but a short time, and then he removed to Coventry, where he now resides.

LAFORREST H. THOMPSON.

By HON. H. HENRY POWERS.

LAFORREST HOLMAN THOMPSON, son of Levi S. and Irene (Hodgkins) Thompson, and the oldest of a family of eight children, was born at Bakersfield, Vt., January 6, 1848. In the paternal line he is of Scotch-Irish descent, and a family tradition declares that his ancestry sustained a collateral relationship with Mary, Queen of Scots, and that in old baronial times the family coat of arms bore the motto "*Dum spiro, spero.*" However this fact may be, the subject of this notice, while ignoring all pride of ancestry, especially that which connected him with the Scottish Queen, has in his career been actuated by the spirit of the beautiful sentiment expressed in the ancestral family motto.

His grandfather Thompson was a man highly esteemed by his townsmen, and was the first representative of the town of Topsham, Vt., in the legislatures of 1801 and 1802.

His grandfather Hodgkins was one of the early settlers of Belvidere, Vt., and served in the war of 1812.

When Laforrest was about seven years of age his father moved from Bakersfield to Cambridge, Vt., and lived there one year; thence he moved to Potton, Broome county, P. Q., and engaged in farming, his son Laforrest living with him for the next eleven years, during which time his mother, who was a most excellent and devoted mother, died. His father while living, in Canada, divided his attention between farming and preaching. He was a licensed minister of the Christian denomination, sometimes called the Church of the Disciples, which was the denomination to which President Garfield belonged. He was also a good stone mason. He was, notwithstanding his various pursuits, and perhaps because of them, in straightened pecuniary circumstances, and so unable to give his large family of children many social or educational advantages.



L. H. Thompson.

He was, however, a man of great intellectual strength, and was especially gifted in the power of invective, which he used with marked skill against the moral and conventional sins of the day.

During his residence in Canada the southern rebellion broke out. Although Laforrest had lived in Canada during that formative period in life when the child is father of the man, and the seeds of political faith are generally rooted, yet he had read Uncle Tom's Cabin, and thereby became a pronounced abolitionist of the aggressive type, rejoicing at John Brown's courageous raid, and mourning his death as the loss of a Christian martyr. At the outbreak of the war he manifested his boyish loyalty to the Union cause by erecting in his father's door-yard a flag-staff, from which flaunted the stars and stripes during the whole war. The neighborhood was full of secession sympathizers, and one of them thought to test the youngster's mettle by ordering him to take down that "Yankee rag." But young Thompson had provided himself with forty rounds of cobble stones for just such occasions, and in tones and manner that carried conviction to the heart of the invading Englishman, gave him to understand that the man who meddled with that flag would get a taste of Yankee cobbles that he would remember to the day of his death, whereupon the Englishman beat a hasty retreat.

The educational advantages of Mr. Thompson's boyhood were meager. The schools open to him till he was fifteen were poor, and hardly deserved the name. He early acquired a taste for general reading, which has increased with increasing years and opportunities. When about twelve years of age he borrowed and read a History of the World, Histories of England and the United States, Gibbon's Decline and Fall, Macaulay's Essays, Bunyan's Pilgrim's Progress and some other works, which, though of rather heavy text for youthful digestion, gave him a lead to the storehouses of historical facts, as well as a discipline in style, in reasoning, and in condensed recital, which has served him a most useful purpose in his after life.

While working on his father's farm he managed by the sale of spruce gum, muskrat skins, and other like articles of boyish commerce, to buy Greenleaf's Arithmetic, Robinson's Algebra, and a few other books which he mastered during his morning, evening, and other leisure hours. His father was not impressed with the

conviction that an acquired education was of practical value, and gave his son no encouragement in his desire to acquire one. In the fall of 1865 he determined to make a lawyer of himself, and though in quite poor health, he commenced a course of a year's study at the Lamoille County Grammar School at Johnson, and made excellent progress in his studies. In 1867 and 1868 he taught school in Craftsbury a part of the time, and in the spring of 1868 entered Kimball Union Academy at Meriden, N. H. For two years he had paid his way by teaching and doing such work as offered itself, and in February, 1868, through the generosity of Hon. James W. Simpson of East Craftsbury, who had observed the ambition of young Thompson to secure a liberal education, the way was opened to him to take a collegiate course, but in 1869, when fitted to enter college, he was forced, by medical advice, to abandon his purpose on account of his frail health. He has, however, taken the next best course by giving his days and nights, so far as possible, to an extended study in English *belles-lettres*.

After giving up his college course he supported himself by teaching in Craftsbury and Irasburgh, meantime reading law as best he might. He never matriculated as a student in the office of an attorney, but borrowed books and followed the advice of attorneys as to his reading. He is emphatically a self-made man and a self-made lawyer, and by common consent the work in both aspects was well done. In March, 1871, he was admitted to the bar in Orleans county, having at that time only heard two cases argued in court, and knowing nothing of court procedure. He formed a partnership with L. S. Thompson and began the practice of his profession at Irasburgh, where he has since continuously resided. The firm of L. S. & L. H. Thompson continued about two years. Since then his business has rapidly increased, and for several years no attorney in Northern Vermont has had a larger or better clientage. He has been engaged in all the more important cases, civil and criminal, in Orleans county, and in many in adjoining counties. He brings to his professional work an untiring industry in his preparation and a masterly tact in the details of the trial, never losing sight of the exact legal aspect of his case, nor forgetting to develop the facts of a case in harmony with the law of it. He has a ready flow of pure Saxon English language, a vivid imagination, and an inherited and masterly power of invective, which enables him to marshal his facts

most forcibly to the mind of the average juror. Before the court he argues law questions with judicial fairness and logical acuteness.

Among the more important cases which he has tried in the court of last resort may be mentioned Baldwin, assignee *vs.* Buswell, involving the constitutionality of the insolvency law of Vermont; Wade *vs.* Pulsifer, reported in the 54th Vermont Reports, involving the validity of a gift from a sister to her brother, standing in a relation of confidence and trust, and the recent case of State *vs.* Maloney for publishing a libel upon Chief Justice Royce. No more exhaustive or logical brief has been presented to the supreme court for years than the one prepared by him in the Wade-Pulsifer case.

Mr. Thompson was state's attorney for Orleans county in the years 1874 and 1875. In 1876 he was elected judge of probate for that district, and held the office till June, 1881, when he resigned on account of the demands of his professional business. In 1880 and 1882 he represented Irasburgh in the legislature, and served upon the most important committees in the house. In 1884 he was a senator from Orleans county and president *pro tem* of the senate. At this session a large number of his brother members gave him their votes as a candidate for a judgeship upon the bench of the supreme court. Judge Thompson has filled many other positions of trust in town and county.

He was married August 24, 1869, to Mary Eliza, daughter of Hon. A. P. Dutton of Craftsbury, by whom he had four children. Mrs. Thompson died March 29, 1881, and Judge Thompson subsequently married Helen C. Kinney, by whom he has had two children.

WILLARD W. MILES.

By THEOPHILUS GROUT, ESQ.

WILLARD W. MILES, son of Orin and Eunice (Clark) Miles, was born in Albany, Vt., February 6, 1845.

Edward Miles, the grandfather of Willard, moved from the town of Dover, N. H., about 1815, and settled in Danville, Vt., at which time Orin was about three years old.

Willard's mother's people came from New Hampshire, and were among the early settlers of St. Johnsbury, Vt.

In about 1835 the father of our subject was married, and soon after moved on to a farm in Albany, Vt., which was afterwards known as "Miles' Hill." About 1842 Willard's grandfather also moved on to a farm in Albany, near where his father lived.

Willard attended the common schools of his native town, and quite early showed a great taste for study. At the age of about sixteen he entered the academy at Barnston, P. Q., and attended two years, and soon after attended the academy at Hatley, P. Q., one year, and on his return to Vermont kept up his studies and recited to the Rev. S. K. B. Perkins at Glover, Vt., until he was fitted for college. In 1866 he entered the office of Charles I. Vail at Irasburgh, and pursued the study of law until 1868, except during the falls of 1867 and 1868, when he taught the academy at West Albany, Vt. In April, 1869, he went West, intending to take a course of law at Ann Arbor, Mich., Law School, and settle in the West for the practice of his profession; but soon after reaching there he had the misfortune to break his leg, and in August, 1869, returned to Vermont. By reason of his long confinement with his broken limb his health became much impaired, and he did not again resume the study of law until the fall of 1871, when he entered the office of Gen. William W. Grout at Barton, Vt., and was admitted to the bar of Orleans county at the September term, A. D. 1872, and in June, 1873, opened an office at North Craftsbury, Vt., for the practice of his profession.

In September, 1872, and before he was admitted to the bar, he was elected for the biennial term of 1872 and 1873 to represent the town of Albany in the legislature of Vermont, and, although young, took a leading position, serving on the committee on elections.

He taught the Craftsbury Academy in the fall of 1874 and spring of 1875, and with this exception has practiced his profession since he was admitted to the bar. He was elected to represent the town of Craftsbury in the Vermont Legislature for the biennial term of 1878 and 1879, and served on the committee on judiciary, and was one of the leading members of that body. He was elected clerk of the town of Craftsbury in 1875, and continuously re-elected as long as he resided in the town. Mr. Miles had a good practice while in Craftsbury, and enjoyed the confidence and esteem of his townsmen.

In April, 1881, he moved from Craftsbury to Barton, Vt., and formed a partnership with Gen. William W. Grout, under the firm

name of Grout & Miles, which still exists. This is one of the leading firms of Orleans county, and has always had a large and lucrative practice. Mr. Miles has been a close student and is a good lawyer. He is a pleasant, companionable man, generous, unselfish, and as true to his friends as the needle to the pole.

In politics he has always been a republican. In religion he is a Congregationalist, being a consistent member of that church.

In September, 1872, he married Miss Ellen M. Dow, and they have three children—Ida M., Mabel A. and Orin L.

AMOS JOHNSON SHURTLEFF.

AMOS JOHNSON SHURTLEFF was born in Cato, Cayuga county, N. Y. His father, Solon Shurtleff, was a physician, and after a time located at Hatley, P. Q., where the youth and early manhood of our subject was spent. He acquired his education at the common schools and Hatley Academy. Young Shurtleff was always studious in his habits. The hours of study in school were always a pleasure rather than a task, and he was sorry when they were over. He early evinced a liking for the profession of law, and about the time of his majority commenced reading law with Col. N. T. Sheafe at Derby Line, and was admitted to the bar of Orleans county at the February term, A. D. 1872, and very soon opened an office at South Troy for the practice of his profession. Wishing for a broader field than this agricultural town afforded him, in 1876 he removed to St. Johnsbury, and in 1881 to Concord, N. H., becoming a member of the firm of Tappan, Albin & Shurtleff. While he was in St. Johnsbury he followed the business of a stenographer to some extent, reporting for several of the county courts, a calling in which he was very proficient. In 1882 he was appointed clerk of the Merrimack County Court, a position which he still continues to hold. He was married March, 1882, to Lou D. Robinson of Swanton, Vt.

SANFORD HENRY STEELE.

THE subject of this sketch was born in Stanstead, P. Q., November 6, 1847, the son of Sanford and Mary (Hinman) Steele and a brother of Judge Benjamin H. Steele. He remained at home and attended the school of his native district and at Derby Line until he was fifteen years of age, when he became clerk in the post-office at Derby Line, where his brother, Benjamin H. Steele, was postmaster. In the winter of 1864 and 1865 he taught the village school at Derby Line, and in the following year entered the Jesuit College in Montreal, P. Q., where he was at the same time student and tutor. In the spring of 1867 he entered Dartmouth College, and graduated in 1870 with honor. During his college course he taught one winter at Newport, and also taught the academy at Barton one term. He spent one winter in Washington as clerk of the house committee on revision of the laws. In 1871 he entered the office of his brother, Judge Steele, at Hartland for the study of the law, and at the February term, 1872, passed a very meritorious examination, and was admitted a member of the bar of Orleans, his favorite county. He very soon went to the city of New York, where he spent one year in close study to familiarize himself with the laws and practice of that state, and in 1873 he opened an office and commenced practice for himself, and is now one of the firm of Brilsen & Steele, No. 229 Broadway, N. Y. Having a thorough knowledge of law and its bearings upon facts and principles, he makes an able and safe counselor, painstaking and sedulous in forming an opinion in the case presented, by his client.

He is a man of thorough integrity, entirely responsible as a lawyer and a man. His firm has been engaged in many important cases, and always to their credit. He has always applied himself closely to his profession, and had nothing to do with politics. He is one of the directors of the Chatham National Bank. In June, 1876, he married Carrie Hinman, eldest daughter of Ransome B. Hinman of Brooklyn, where he resides. They have had two children, one of which, a daughter, is still living.

FREDERICK W. BALDWIN.

By HON. H. HENRY POWERS.

FREDERICK W. BALDWIN was born at Lowell, Vt., September 29, 1848. He is of English descent. This branch of the Baldwin family is descendant from John Baldwin, who appears in Billerica, Mass., as early as 1655, and who came from Hertfordshire, England, about 1640. He married Mary Richardson, by whom he had nine children. He was made "freeman" in 1670, and died in 1687. His sixth child, Thomas, born in Billerica, March 26, 1672, and known as "Ensign Thomas," married and became the father of eight children, of whom Joseph, born in Billerica, September 14, 1702, was the second. It appears that he secured, by his father's will, lands in Townsend, Mass. He married and settled there, and became the father of Joseph, Jr., his eldest son, born about 1729. Joseph, Jr., was blessed with a family of eight children. Thomas, his youngest child, was born at Townsend, November 10, 1768. He married Elizabeth Davis of Chelmsford, Mass., and settled on a farm in Cavendish, Vt., where he reared a family of nine children. Asa, their fifth child, born at Cavendish, June 28, 1803, married Roselinda Shedd, December 3, 1833, and removed to the new town of Lowell in Orleans county. There he commenced to hew a farm out of the wilderness. Privation and hardship were his constant companions. But the heart and hand of the sturdy pioneer were of unfailing strength, and waving fields of grain soon took the place of the unbroken forest. At the time of his death, which took place January 27, 1875, he was occupying the same farm where he first located, one of the best homes in the town. He was an energetic, substantial citizen, and held the office of captain of the militia company of the section. He had two children, our subject being the youngest, and only son.

Frederick was brought up on his father's farm, and enjoyed only such advantages for education as the average Vermont farmer gives his children. Being, however, of an observant and practical turn of mind, he acquired much solid and useful information which is not found in school books, but which is invaluable in the daily routine of professional life.

He attended the district schools in his native town until he was seventeen years of age, and then for a few years attended, a term

or two at a time, the grammar school at Westfield, the Normal school at Johnson, and the Vermont Conference Seminary at Montpelier, usually interrupting the continuity of his studies by teaching school in the winter. In 1870 he entered the law office of Powers & Gleed at Morrisville, and was admitted to the bar in December, 1872, and soon after formed a partnership with Gen. William W. Grout at Barton, which continued two years. Since the dissolution of the firm of Grout & Baldwin, Mr. Baldwin has been in the successful practice of his profession at Barton, and has had a large clientage in Orleans and Caledonia counties.

He brings to his professional work a strong practical mind, which enables him to forecast results better than many men who display more apparent haste and energy, but who can never see but one side to a case. Mr. Baldwin's professional aim is to reach the best result for his client. In many cases where others would advise a suit he advises a compromise, thus often saving defeat as well as large expense. By this course he has gained the confidence of litigants, who see in him a disposition to save them expense where others would recklessly incur it. But when engaged in a cause he gives to its preparation and trial the most thorough and efficient work. He has been connected with many very important trials in court, among which may be noted the case of Frederick W. Baldwin, assignee in insolvency *vs.* James Buswell, which involved the constitutionality of the insolvency law of Vermont, and which he ably argued before the full bench at the general term, and which is reported in the 52d Vermont Reports; also the case of Selectmen of Glover *vs.* McGaffey, involving an important question in the law of water rights, reported in 55 Vt. 171. He was connected with a series of pauper causes between the towns of Barton and Glover.

In all this important litigation he was successful. He has been admitted to practice in both the state and federal courts in this state.

He has enjoyed a liberal measure of political preferment, though he is not exposed to the charge of political ambition. He was assistant secretary of the state senate in 1872, and secretary of the same in 1874, 1876 and 1878. Was state's attorney for Orleans county in 1880 and 1881, and was the Orleans county member of the Republican State Central Committee in 1884 and 1885, and at the last state convention was chosen for 1886 and 1887. When the



Dr. W. Baldwin

committee organized he was made its secretary and treasurer. He was married to Susan M. Grout, a sister of Gen. Grout, September 24, 1873, by whom he has one child, Edward Grout Baldwin. Mrs. Baldwin died in 1876, and October 28, 1878, Mr. Baldwin married Susan M. Hibbard of Brooklyn, N. Y.

L. H. NICHOLS.

By HON. H. C. WILSON.

THE subject of this sketch was born in Westford, Vt., and when quite young his father and family moved to Underhill, Vt., where he attended the common school of the town, and afterwards fitted for college at the academy, expecting to enter the University of Vermont as soon as he could earn means to defray his expenses there. With that end in view he commenced teaching, and proved an able and efficient teacher, having the very best of success. He followed school-teaching for three or four years, finally decided to fit himself for the law, and entered the law office of H. C. Wilson at North Troy in the fall of 1867, where he remained, teaching a portion of the time until the September term, A. D. 1872, when he was admitted to the Orleans County Bar. He was a young man of good character and a close student, gentlemanly and courteous to all, and a very easy and fluent speaker. After his admission to the bar he left the county for the West, with a bright prospect before him. He first went to Clinton, Iowa, but remained there but a short time. From there he went to San Francisco, Cal., and soon afterwards formed a copartnership with one of the leading lawyers of that city, and their firm ranks among the ablest and best, and it can in truth be said that Mr. Nichols has gained that success which inevitably follows continued application of honest effort to the accomplishment of an honest purpose.

PELEG REDFIELD KENDALL.

By HON. TIMOTHY P. REDFIELD.

PELEG REDFIELD KENDALL was the son of Dr. Samuel S. and Sarah Abby Redfield Kendall, and was born at Coventry, Vt., November 24, 1848. He was an apt and ready scholar. He made creditable progress in the common schools in education,

and was page in the house of representatives during the session of 1860. During the war the call and clangor "to arms" so stirred his young blood that he enlisted as a soldier in 1863, and was mustered in as corporal in Co. L of the 11th Vermont Volunteers, and served until August, 1865. When he came home from the war his instincts and aspirations gravitated towards college life, and he fitted for college in the academies at Barton, Peacham, and under Mr. Gorham at Montpelier. He entered Dartmouth College in the class of 1867, and graduated with his class in the summer of 1871. He studied the profession of law in the office of Edwards & Dickerman at Newport, and was admitted to the bar at the September term, 1873, of Orleans county court, and opened an office for practice at Barton Landing. After about two years he removed to Rutland, where he continues to reside in the practice of his profession. He was state's attorney for Rutland county from 1884 to 1886. His residence in Rutland necessarily threw him into new relations to the bar, and into practice with veterans who were among the leading lawyers of the state. This brought to his mind new suggestions and new incentives, and he resolved, so far as in him lay, to make himself a good lawyer, and not be content with the rough and tumble chances in the tilt of the profession. He knew in that profession that success or eminence was not attained by favor or chance, but, as a rule, is won, if at all, by industry and hard work. He purchased a well selected library, in which he studied the origin and sources of the common law of England, and especially the axioms and principles that equity practice had engrafted upon it; and by careful study equipped himself for useful and successful practice.

A very brilliant scholar, a graduate of his *Alma Mater*, wrote in his classical text books the words, as a guiding motto, "*Attius ibunt qui summa ninunter*," which in the vernacular would indicate that in climbing the hill they reach the highest who strive for the summit.

He learned that the true and best service of the advocate was by careful study to understand the case himself, and thus by a brief statement of the facts of the case, and the law involved in it, the court would see that he was master of it, and in a condition to aid the court or jury in solving the problems of the case to be tried, and as he became useful to the court, he was also to his client.



P. Redfield Kendall

As state's attorney for the great county of Rutland, he was called upon to examine and try many cases of great importance, as well to the parties involved as to the public, and requiring discrimination and legal tact. In that he has been successful, and won the confidence of the court and of the public.

There is now open to him a broad field, somewhat sterile for legal plants—with the assured prospect, if he is laborious and avoids politics—of attaining in his profession, in the end, success and distinction.

JOHN WESLEY ERWIN.

THE subject of this sketch was born in Sheldon, Franklin county, Vt., April 5, 1840, and is the son of Ralph and Jane (Riley) Erwin. Ralph, the father of our subject, immigrated from Ireland with his elder brother when but sixteen years of age, and settled in Sheldon, where he lived until 1847, when he moved to Highgate, and afterwards to Newport, where he died. Mr. Erwin was educated at the common schools of his native town, and was attending the academy at St. Albans when the war of the rebellion broke out. He at once enlisted as a private in the 1st Vermont Cavalry, Co. B, and was mustered into service September, 1861. In 1862 he was made quartermaster-sergeant. In the sharp cavalry engagement at Hagerstown, Md., July 6, 1863, young Erwin had his horse shot from under him, and he was taken prisoner. He was taken to Belle Island, where he was kept five months, with the exception of about three weeks in the hospital at Richmond, after he had become so sick and weak he could not live longer in the prison. In September, 1864, he was discharged and returned to his native state, but with health so impaired it was not until 1870 that he was able to accomplish anything, with the exception of looking after a farm he owned in Troy, Vt. In 1870 he entered the office of Josiah Grout at Newport for the study of the law, and was admitted to the bar of Orleans county at its September term, A. D. 1874, and commenced the practice of his profession at Derby Center, where he has since resided.

NELSON RAND.

NELSON RAND was born in Greensboro, Vt., March 7, 1824. His father, Ezekiel Rand from Rindge, and his mother, Mary Stone from Fitzwilliam, N. H., were married, and settled about the year 1800 in the very new settlement of Greensboro, Vt., where they were prospered, and raised a family of ten children.

Nelson's education was obtained at the school of his native district and Bakersfield Academy. In 1843, having concluded to become a lawyer, he entered the office of Jasper Rand, an older brother, at West Berkshire, where he remained three years, but unfortunately for him when he was nearly fitted for admission to the bar he became discontented, and hoping to secure a vocation that would pay greater profits financially, he went to Hardwick and entered a store, where he remained about two years. He then went to Craftsbury and entered the firm of Blaisdell, Delano & Co. He remained in trade there in this firm, the firm of Blasdell & Rand, and alone, until about 1870, and from 1852 to 1860 was postmaster at South Craftsbury, and during all this time was doing legal business to some extent for the people of Craftsbury and vicinity. In 1870 this branch of his business had grown so, and there was such a demand for his services as a lawyer, that he opened an office and gave his time to this work, and at the September term, A. D. 1874, he was admitted a member of the bar of Orleans county, and has been in active practice at Craftsbury since. Although Mr. Rand came to the bar late in life, he was better fitted for his professional duties than many who started earlier. His large acquaintance with men and things while in business, coupled with his experience in legal matters, made him a good and reliable adviser and counselor. He has fine social qualities, and is esteemed by all who know him as a cordial, genial gentleman. In politics Mr. Rand has always been an ardent democrat, and has several times been the nominee of his party for important offices. He was married June 6, 1849, to Julia Ann Williams.

WALLACE I. ROBINSON.

WALLACE I. ROBINSON was born at Barton, Vt., January 12, 1850, and is the son of Amos C. and Eliza S. Robinson, the latter a daughter of Dr. F. W. Adams, an able physician of Barton, and afterwards of Montpelier, where he died.

His father owned and carried on what was known as the "depot store. He, with his sons, carried on a large and flourishing wholesale and retail business, and had at the time of his death amassed a goodly competence for this section of the country. Jasper Robinson, the paternal grandfather of our subject, was a successful merchant at Brownington, Vt., and one of its prominent men. He represented Brownington in the general assembly in 1825-7-8, and was elected in 1831, but served in the council and was a judge of Orleans county court in 1828-29-31-32 and councillor until 1835.

At the common schools of his native town, Newbury Academy, Norwich University and Dartmouth College, Wallace I. obtained a thorough education, and in 1870 entered the office of J. B. Robinson, Esq., of Barton, for the study of the law. He was admitted to the bar of Orleans county at the September term, 1874. About the time of his admission to the bar his former preceptor, J. B. Robinson, deceased, and his office, and business to some extent, were succeeded to by our subject. In the succeeding two years, Mr. Robinson obtained a large and thriving business for one just starting out in the profession.

March 16, 1876, young Robinson's father died, and he took his place in the old store and firm, the new firm being made up of his brother Charles A. Robinson and himself, under the firm name of Robinson Brothers. They did a large and successful business until 1878, when they sold out, since which time Mr. Robinson has been engaged as administrator in closing up several estates, and also as agent for the Hartford Life and Annuity Insurance Company of Hartford, Conn. He was married July 26, 1876, to Lucy M. Reed, and has one son, Amos Reed Robinson.

HOMER E. POWELL.

HOMER E. POWELL was born at Richford, Vt., May 4, 1851. The first of the Powell patronymic who settled in Vermont was Rowland Powell, who came from Brimfield, Mass., and settled in Hartford, Vt., where he remained a few years and removed to Sheldon. Bradford Powell, son of Rowland, born in Brimfield in 1775, moved into Richford as early as 1799, his name appearing on the records as one of the first listers. He was an active citizen, and took a prominent part in the public affairs of the town, and was deputy collector of customs for a while. He married Clarissa Goff from Deerfield, Mass., in April, 1803, and settled and carried on a farm; he died June 11, 1820. Hermon Powell, father of our subject, was born at Richford, December 28, 1809, and who died at Fairfield, September 14, 1885, was a farmer, and lived at Richford and Fairfield the greater part of his life. January 1, 1838, he married Julia S. White, who was born in Sheldon, March 30, 1812, and who died at Richford, July 23, 1880.

Homer E. obtained at the common schools, "New Hampton Institution" at Fairfax, and Vermont Conference Seminary at Montpelier, a very good education. In 1870 he commenced the study of the law with his brother, Hon. E. Henry Powell at Richford, but soon accepted a position as principal of the Richford Graded School, where he remained one year. He then went West and engaged in teaching at Schuyler, Neb., a portion of the time also keeping up his law studies somewhat. In 1874 he returned to Vermont, and again entered the office of his brother, and at the April term, 1875, of the Franklin county court was admitted to the bar. The year following he was in partnership with E. Henry Powell in the practice of his profession at Richford. In the spring of 1876 he moved to South Troy, where he remained until the fall of 1878, when he went to Milton, where he now resides in the active practice of the law. For the short time that he was in the county of Orleans he succeeded well as an attorney. Mr. Powell was married April 21, 1880, to Lucia B. Witters of Milton, and has three children.

FRANK E. ALFRED.

FRANK E. ALFRED, the son of Samuel D. and Polly (Smith) Alfred, was born in Fairfax, Vt., February 25, 1853. Benjamin Alfred, the youngest son of John Alfred, and the grandfather of our subject, was born in Hartford, Conn., March 26, 1769. He married Elizabeth Chapin, January 25, 1795, and they settled in West Springfield, Mass., but in 1808 they moved to Westfield, where they afterward lived. Samuel Dwight Alfred, their son, was born in Westfield, June 14, 1804. In 1824 he settled in Lansingburg, N. Y., but in 1831 he removed to Berkshire, Vt. On the 25th day of November, 1832, at Berkshire, he was married to Polly Smith, and in 1842 they removed to Fairfax, where they now reside. His occupation was that of a merchant.

Frank E. obtained his primary education at the school of his native district, and afterward attended the New Hampton Institution at Fairfax, and but for sickness would have graduated there in June, 1873. In 1874 he commenced the study of the law with Edson & Rand at St. Albans. In September, 1874, he entered the law department of Harvard College, from which he graduated in June, 1876, and was admitted a member of the Suffolk county bar. He returned to Vermont, and at the September term of the Franklin county court was made a member of that bar. November 1 of that year he went to Newport and entered the office of W. D. Crane, and in one year from that time was admitted into partnership with him, forming the now leading and well known law firm of Crane & Alfred. August 22, 1878, Mr. Alfred was admitted a member of the Supreme Court of the state, and February 25, 1879, a member of the United States Circuit Court. November 7, 1877, Mr. Alfred was appointed by the governor of Massachusetts a commissioner to act in Vermont for that state. Mr. Alfred, although comparatively a young man, is a careful, painstaking lawyer; he understands the rules of practice thoroughly, and sees to it by constant work and watchfulness that the large number of causes of his firm are ready in season for trial. All pleadings and other papers are carefully drawn and filed on time. Much of the success of this firm is attributable to the thorough and prompt manner in which they care for the causes in their hands. This firm has one

of the best selected law libraries for a working lawyer in northern Vermont. Mr. Alfred was married June 10, 1879, to Mary Loise Edes, of Newton, Mass.

CHARLES J. ROWELL.

THE subject of this sketch was born at North Troy, Vt., July 16, 1848. He was the third son of Hon. A. J. Rowell. His early education was obtained in the district schools of his native town. Evincing at an early age an aptitude for learning, and always making the most of his time while at the primary schools, he early had the promise from his father of a collegiate course, but in this he was destined to be disappointed. His father returning from the army with impaired health was soon taken sick, and died December 24, 1864. Thus at the age of sixteen Charles found himself with his plans for life, to some extent, thwarted. Although his father was gone, he was still left his mother, a very estimable lady, who did all in her power to aid him to attend the academies at Derby, and Meriden, N. H. In September, 1872, he went to the law school at Albany, N. Y., and graduating there, was admitted to the bar of the supreme court of the state of New York. Upon returning to Vermont he was appointed deputy collector of customs at the port of Alburgh. In 1876 he resigned his office as collector, and commenced the practice of law at the village of Barton Landing, and remained there in successful practice till February, 1879, when he left his native state to make a home in the far West. He located in Leadville, Col., where he became a partner of Judge A. L. Weston, and the firm did a flourishing business for about two years, when he left his law practice to become the financial agent of Senator A. W. Tabor in his absence. Upon Senator Tabor's return to Colorado, Mr. Rowell resumed his law practice, forming a partnership with Judge Rockwell of Denver.

GEORGE C. BENTLEY.

GEORGE C. BENTLEY was born in Cambridge, Vt., August 2, 1852, the son of Levi P. and Julia (Montague) Bentley.

He was the youngest son of five children. His mother having died when he was five years of age, the home was broken up to

some extent, and when he was twelve he went to live with his uncle, Elisha Bentley, making it his home there and at his Uncle Harry Montague's, both in Cambridge, until he was twenty-two years of age, with the exception of two years spent in Wisconsin.

He attended the district school winters and worked on the farm summers, also having the advantage of several terms schooling at the Cambridge Academy until he was about twenty, when he went to Oskosh, Wis., and took a course in the commercial college of Prof. W. W. Daggett. He then returned to Vermont, and began the study of the law with Judge L. H. Thompson at Irasburgh, and was admitted to the bar of Orleans county at the September term, A. D. 1876.

He spent the ensuing winter in study in the office of Gen. William W. Grout at Barton, and in the spring of 1877 he opened an office at Fairfax, Vt., where he practiced law about two years. He then went to Michigan and opened an office, but practiced but a short time when he was offered and accepted the management of the lumber yards of the Sturgeon River Lumber Company at Hancock, Mich., where he still resides. He was married February 19, 1877, to Sarah J. Thompson, sister of Hon. L. H. Thompson of Irasburgh.

CHARLES O. BRIGHAM.

MAJ. CHARLES O. BRIGHAM, the son of Elijah and Mary (Loker) Brigham, is from Massachusetts stock. His paternal grandfather was Col. Ephraim Brigham of Marlboro, Mass. Charles O. was born in Fitchburg, Mass., December 1, 1838. His father having moved to Cambridgeport, he first attended school there, and subsequently at the public schools in Boston. In 1855 he entered the Stanstead, P. Q., Academy, (his brother-in-law then being principal of that institution), where he completed the course preparatory to entering college, and in the fall of 1858 he entered the university at Middletown, Conn. The outbreak of the rebellion interrupted his collegiate course, which was never renewed. In the spring of 1861 he enlisted, and on May 22, 1861, was mustered into the service as a private of Co. G, 4th Connecticut Infantry, to serve for three years or during the war, and he served continuously in the army of the Potomac until his discharge, September 25, 1865.

Soon after his muster he was appointed first sergeant, and October 26, 1861, was made second lieutenant, and in March, 1862, was promoted to be first lieutenant of his company. The regiment was soon reorganized into the 1st Connecticut Artillery, and January 22, 1863, he was promoted to the captaincy of Co. D of this regiment, and was again promoted May 13, 1865, to be major of the 1st Battalion of said regiment. He was also breveted major for gallant and meritorious conduct before Petersburg, Va., in the advance on Richmond. Of his military career it is but just to say that, undertaken not from choice, but under an exalted sense of the duty he owed an imperiled and loved country, every service required was freely given. He could always be depended upon implicitly, possessing that quality of courage which is the result of entire devotion to duty, even at the cost of complete self-sacrifice. Upon his return to New England he went to his father's home in Newtonville, Mass., and soon after engaged in the furniture business in Cambridgeport, Mass. While located here he was married February 14, 1867, to Clara A. Spalding, daughter of Levi Spalding of Derby Line, to whom he had become attached in early school-days. In 1872 he entered the office of Roberts & Osgood of Boston for the study of the law, but his studies at this time were much interrupted until he removed to Vermont in 1874, where he at once renewed his law studies in the office of his former school and college mate, John Young of Derby Line, and at the February term, 1877, was admitted a member of the bar of Orleans county, and immediately commenced the practice of his profession at Derby Line, where he has since resided. Mr. Brigham is regarded as a faithful and reliable attorney, and a conscientious and upright man.

JOHN LEON LEWIS.

JOHN LEON LEWIS was born March 7, 1858, at Berkshire, Vt. He was the son of Milo G. and Euretta (Willard) Lewis. His grandfather, Milo Lewis, was of English descent, and settled in Berkshire early in its history. John L. received his education at the common schools of Berkshire and the St. Albans Academy. Early in 1875 he commenced the study of the law in the office of Hon. H. C. Wilson at North Troy, and was admitted to the bar of

Orleans county at its September term, 1877, and immediately opened an office at North Troy, where he has since practiced his profession. In December, 1882, he formed a copartnership with Frank H. Rand, under the firm of Lewis & Rand for the practice of the law, which continued about one year. Mr. Lewis is possessed of energy, ability and tact, and has succeeded by his own exertions in building up a thriving law business. He is also engaged in the mercantile business at North Troy quite extensively. He was married June 17, 1885, to Miss Georgia E. Harrison.

CHARLES A. PROUTY.

CHARLES A. PROUTY was born at Newport, Vt., October 9, 1853. He is a descendant of John Prouty, who was born at Spencer, Mass., in 1747, and was one of the first settlers of Newport in 1799. He twice married; his first wife deceased before he came to Newport. For his second wife he married Alice Daggett, and settled upon a farm in the north part of Newport near the lake shore. Arnold, the second son, married Sally, daughter of Martin Adams, and was blessed with eight children, and died January 16, 1881. John A., their fifth child, born in 1826, and the father of our subject, married Hannah Lamb, and had by her six children. He is one of the prominent business men of Newport, being extensively engaged in farming and the manufacture of lumber. Charles A., his oldest child, was never very robust, although enjoying ordinary health; his make-up was more of the slender, intellectual type. His boyhood was spent on his father's farm, and attending the district school near his father's residence and the school at the village of "Lake Bridge." He was a ready scholar, and had made such rapid progress that at the age of fourteen he was sent to the high school at Upton, Mass. There, and at Derby and St. Johnsbury Academies, he fitted for college. In 1871, at the age of eighteen, most thoroughly prepared, he entered Dartmouth College, and graduated in 1875, the acknowledged leader of his class. The science of mathematics in all its branches was his favorite study, and one that intensely interested him throughout his full course, and particularly so the branch of Astronomy. He resolved to make it the study of his life, and soon after graduation

from college he entered the astronomical observatory at Alleghany City, Penn. Hard and protracted study during a long college course, coupled with close application, almost entirely indoors, with change of climate, soon prostrated young Prouty, and at the end of one year he returned to Vermont. Upon his recovery his friends, particularly his father, advised him to study for the law, knowing it would not, like the other profession, necessarily take him away from home. Their counsel prevailed, and he entered the office of Theophilus Grout, Esq., at Newport, and was admitted to the Orleans county bar at the February term, 1877, and right away formed a copartnership with Mr. Grout, which continued one year.

Mr. Prouty was always thoroughly a student ; he enjoyed diligent, patient research of almost any subject, and the subject of the law was no exception. He enjoyed its study exceedingly, but its practice, as he found it during that first year, which was not particularly different from that of almost every country lawyer, made up of almost everything in the shape of business, was not at all to his taste ; hence when he was offered the position of principal of the Newport Academy and Graded School he accepted it. This work was entirely to his mind, and he continued the principal of this school for two years to the entire satisfaction of all. At the end of this time the close confinement of the school-room had so impaired his health that he resigned, and took an extended trip West. In July, 1882, he again opened an office at Newport for the practice of the law, and in September of that year was elected state's attorney for the county of Orleans, and in 1884 was again elected to that office. The duties of this office combined with civil cases of the better class that soon came to hand, fully occupied his time ; and since 1882 he has been engaged in many of the more important cases in the county, notable among them being the case of *State vs. Maloney*, the editor of the *Richford Gazette*, which was an indictment for publishing libellous and slanderous articles in his paper against Chief Justice Royce. Mr. Prouty conducted and closed the case for the state with an argument of marked ability. In his practice he has developed many characteristics seldom found only after long experience and thorough study in the profession. Independence, firmness and resolution are his salient points. As an advocate he eschews all mere ornament, but there is an earnestness and directness in his manner which at once forcibly and favor-

ably impresses an audience with his sincerity, with his complete belief in the justness of his cause, and carries conviction to the mind of court or jury. March 26, 1879, he was married to Abbie Davis of Lyndon, and they have one son, Ward Prouty.

JOHN C. BURKE.

By HON. H. HENRY POWERS.

JOHN C. BURKE, son of Walter and Catherine Riley Burke, was born in the city of Leeds, England, August 15, 1854. He is of Irish descent. His father emigrated to this country soon after John's birth, and lived in New York City a few years, and in 1860 removed to Craftsbury, Vt. He lived on a small farm about one and a half miles from Craftsbury Common.

John attended the district schools in Craftsbury and a few terms at the academy. When the building of the Lamoille Valley railroad commenced John engaged himself as a teamster, and soon became a time-keeper for the contractors, then a foreman, and ultimately a contractor himself. In 1871 he left his employment on the road, and attended two more terms of school at Craftsbury Academy. In the summer of 1872 he had charge of the construction of the railroad then being built from Newport to Richford, and in the fall of 1872 returned to the Lamoille Valley road, and had charge of the grading of the same from Wolcott to Hydepark. In the spring of 1873 he again attended a term of school at Craftsbury Academy. In 1874 he resumed his work on the railroad till fall, when he took another term of school at Craftsbury. He taught a district school in the winters of 1874 and 1875, and attended his last term of school in the spring of 1875. Until the fall of 1876 he was again engaged in railroad work.

Thus his early education was of that limited but practical kind which has developed the characters of so many of the public men of this country. In such an education there are two studies only to be pursued. First, how to earn money, and second, how to spend it to the best advantage. In this case both branches were very successfully mastered. John's earnings were not used in fostering bad habits and pleasing bad companions, but in acquiring that education that would fit him best for the profession of the law, towards which his youthful ambition led him.

In the fall of 1876 he commenced the study of law in the office of W. W. Miles, Esq., then of Craftsbury, and in September, 1878, was admitted to the bar in Orleans county. In due time he was admitted to the bar of the supreme court of Vermont, and that of the United States Circuit Court for the district of Vermont. He began practice at Albany, Vt., and soon gained a large clientage, which has rapidly grown till the present time, and which called him into Lamoille and Caledonia counties as well as his own. Since 1882 he has been engaged in many of the more important cases in the three counties named, and has often been called to other counties to assist in the trial of important causes. In his practice at the bar he has developed many of the characteristics of the best lawyering. He is honest with the court and with his associates, is ambitious to win his cases by fair dealing and on their merits, gives to his cases the most thorough preparation, both on the law and on the facts, and thus comes to the trial armed at all points. He has a fine flow of language, an easy and dignified manner, and a happy gift of illustration. He has a copious supply of genuine Irish wit, which he often handles with great effect.

In politics Mr. Burke is a democrat, but on all occasions subordinates his partisanship to his manhood. In 1882 he represented the strong republican town of Albany in the legislature, where he served upon the judiciary committee, and took a leading and influential part in the debates. He was chairman of the Vermont delegation to the national convention at Chicago in 1884 which nominated President Cleveland. September 1, 1885, he was appointed a deputy collector of customs at Newport.

He married Gertrude Dow, daughter of John C. Dow of Albany, November 23, 1881, by whom he has one child, Walter Scott Burke, born June 26, 1885.

JOHN L. CARR.

THE subject of this sketch was born at Kilwinning, Scotland, June 22, 1850, and is the son of Hugh and Mary (Lenerthan) Carr. His father is a farmer, and immigrated from Scotland to Craftsbury in 1853, and removed from there to Glover in the fall of 1855. Here young Carr lived, assisting in the farm work summers, and attending the district school winters. As he grew older this

way of life did not suit him, and he determined to secure an education if possible. To this end he went to the Normal School at Johnson, and subsequently attended the academy at St. Johnsbury. During this time he paid his own way by working at farming during summers and teaching winters. As a teacher he was very successful, having taught eight terms prior to commencing the study of law, two of these being the village schools at Glover and Coventry. June 5, 1876 he entered the office of Gen. William W. Grout at Barton, and pursued the study of the law until the September term, 1878, when he was admitted a member of the Orleans county bar, and in November, 1885, admitted a member of the supreme court of the state. After his admission to the bar he at once commenced practice at Barton, where he has since resided. As a lawyer he is an earnest, patient worker, and to his untiring and persistent industry is largely due his success. In religious sentiments he is a congregationalist, and in politics a republican. He married Josie E. Bodwell of Glover, February 26, 1879, and has two children.

FRANK PIERCE MCGREGOR.

THE subject of this biography was born in Londonderry, N. H., October 27, 1852. He was the son of Lewis and Augusta (Blodgett) McGregor, the former of Scotch-Irish, and the latter of English ancestry, the family of his mother being one of the first and leading families which settled in Londonderry. He obtained his primary education at the common schools, and fitted for college at Pinkerton Academy, Derry, N. H. He entered Dartmouth College in August, 1871, and graduated in June, 1875, and soon afterward accepted the position of principal of the academy at Bradford, Vt., where he remained two years. He then went to Newport and accepted a similar position in the Newport Academy and Graded School, and here he took up the study of the law evenings and other spare time in the office of Charles A. Prouty, Esq. He was admitted to the bar in Orleans county at the September term, 1878. In 1879 he commenced the practice of the law at Barton Landing, but only remained a few months; subsequently was in the office of Gen. W. W. Grout at Barton a short time. His experience thus far as an attorney not proving congenial to him, he went to Fitchburg, Mass.,

and engaged as master of the High Street Grammar School. After two years' service he resigned, and took a similar place at Lawrence, Mass., at an advanced salary, where he remained two years. During this time the success of the school more than equaled the expectations of its most sanguine friends. He was then elected master of the Lawrence High School, which position he still holds. As a teacher it is due to Mr. McGregor to say that he has been eminently successful, his time and energies having been given almost exclusively to this profession. Notwithstanding this, he has not given up the idea in the near future of again taking up the profession of the law. Mr. McGregor is a member of the Lawrence Street Congregational church, Lawrence. He was married January 30, 1884, to Miss Lucia Sanderson of Phillipstown, Mass., and has one son.

CHARLES H. WALWORTH.

CHARLES H. WALWORTH was born at Wayne, Ohio, June 21, 1853, the son of Charles B. Walworth, who was born at Canaan, N. H., September 30, 1806. His mother, Hannah M. Hotchkiss, was born at Vernon, Ohio, February 19, 1818. His early years were spent at Wayne, where he received his primary education. In 1870 he entered Grand River College at Austinburg, Ohio, and graduated therefrom in 1875, and immediately commenced the study of the law in the office of Simonds & Wade at Jefferson, Ohio. In 1875 he went to Vermont, and was engaged to some extent in aiding his uncle, D. P. Walworth, Esq., of Coventry, in the management of his extensive business, but still continued the study of the law in the office of L. M. Shedd at Coventry. At the September term, A. D. 1878, he was admitted a member of the Orleans county bar, and in the fall of that year commenced the practice of his profession at Elk Point, Dakota, where he remained in active and successful practice until 1884, when he removed to Pierre, Dakota. Mr. Walworth is a young lawyer of good ability, energetic, upright and persevering, and is destined to make his mark in the home of his adoption. Mr. Walworth was married in 1881 to Mattie L. Pattee of Ackley, Iowa.

JAMES GREELEY SIMPSON.

THE subject of this sketch was born at Craftsbury, October 12, 1854, and is of Scotch ancestry, his grandfather, John Simpson, having emigrated from Scotland in 1830 and settled in Greensboro, Vt., where he lived until his death, which occurred in 1876, at the advanced age of eighty-three years. He reared a family of ten children.

Hon. James W. Simpson, the father of our subject, his second child, commenced in the mercantile business at East Craftsbury about 1847, and has continued to do a thriving and prosperous business to the present time, having the confidence of the people of his county and town, as evinced by his election to offices of trust and responsibility among the highest in their gift.

James G. obtained his education at the school of his native district, Craftsbury Academy, Williston Seminary, East Hampton, Mass., and St. Johnsbury Academy, where he graduated. He attended for one term the Columbia Law School, New York City, after which he completed his law studies in the office of Hon. L. H. Thompson of Irasburgh, and W. W. Miles, Esq., of Craftsbury, being admitted to the bar of Orleans county at the February term, A. D. 1879, and immediately commenced the practice of his profession at Greensboro Bend, Vt. He remained here a few years, and removed to Craftsbury and opened an office, and in January, 1885, he removed to Minneapolis, Minn., and formed a copartnership for law practice with one Morgan, under the firm name of Morgan & Simpson.

FRED S. TUPPER.

THE subject of this sketch was born at Bakersfield, Franklin county, Vt., December 31, 1855, and is the son of Jackson and Caroline (Parkhurst) Tupper. Mr. Tupper received a good elementary education in the common schools of his county, and fitted for college at Barre Academy, graduating from that institution June 8, 1876. He then attended the law school at Cambridge, Mass., one term, and returning from there entered the office of John S. Tupper at Milton, Vt., where he pursued the study of law. Subsequently he went into the office of Hon. Henry R. Start of Bakersfield, from

whose office he was admitted to the bar of the Franklin county court at the April term, A. D. 1879. He immediately commenced the practice of his profession at Troy, remaining there until February 1, 1880, when he removed to East Fairfield, Vt., where he now resides and practices his profession.

IRA F. ADAMS.

THE subject of this sketch was born at West Derby, Orleans county, Vt., August 21, 1859, the son of Warren W. and Laura (Fish) Adams. His early education was obtained at the common schools of Derby and Newport, and subsequently attended the Stanstead College, where he took a full course with the exception of Greek. He also attended a school at Lewiston, Me., one term. In 1878 he commenced the study of the law with Theophilus Grout at Newport, and was admitted to the bar of Orleans county at the September term, 1880, and immediately went West, commencing the practice of his profession at Parsons, Kan., where he has since resided. Mr. Adams at once took a good stand in his profession. He was elected clerk of the city in 1884. He was married November 19, 1884, to Jessie Graves of Parsons.

ORLO H. AUSTIN.

By CHARLES H. JONES.

“THERE’S a tide in the affairs of men, which taken at the flood leads on to fortune.” To some the flood tide comes in early life, favoring breezes fill every sail, brilliant success crowns every effort. To others it comes in mature manhood, and to others late in life. While to some the tide seems ever at its ebb, and whether from fault of chart, compass or sail, failure alone is the reward of effort.

In the current of other lives there is little of ebb and flow, but from its obscure source a silent progress with constant accretion. Obstructed in its course, it seeks broader channels, ever advancing in its slow, steady, resistless flow to the ocean of human destiny. To this class belongs the subject of our sketch.

Orlo Henry Austin was born in Eden, Vt., August 31, A. D. 1838. He came of New England stock. His grandfather was among the earliest settlers of Waterbury, Vt., coming from Connecticut. His father, Asa Austin, was a farmer, who joined the Vermont Volunteers in 1814, and was in the battle of Plattsburgh. His mother, Nancy Gregg, was a native of New Hampshire.

When about ten years of age he came with his parents to Craftsbury in this county. Here he attended the district schools and Craftsbury Academy, and taught in the towns of Craftsbury and Wolcott. In 1859 he was admitted to the University of Vermont, but teaching the Brownington Academy that fall, he joined his class at the opening of the spring term. Near the close of his junior year in college he enlisted in Co. F, 11th Regiment, Vermont Volunteers, and was chosen second lieutenant. In November, 1862, he was promoted to first lieutenant of Co. I. While in active service under Sheridan in the Shenandoah Valley, he was promoted to the captaincy of Co. A, September 2, 1864. He was in every battle in which his regiment was engaged except the assault on Petersburg. As a soldier Capt. Austin was content with a faithful discharge of duty, seeking neither favor nor promotion. That his service was fearless and efficient, his comrades will bear witness. With the many brave boys from his county and state, he fought a good fight, he finished his course with honor, he kept the faith to the end.

After his return from the war he erected a store at Barton Landing, and engaged in business as a general dealer. In November, 1869, he formed a partnership with C. E. Joslyn, and a large and flourishing trade was established. In November, 1878, J. C. Parker and I. D. R. Collins joined the firm, and an extensive lumber business was added. The great decline in prices from 1875 to 1877, the destruction of their stock of goods by fire, a technical defect in the insurance and heavy losses by the failure of other parties, caused the suspension of the firm in the spring of 1877. Capt. Austin then went out of trade, but at once erected a large business block on the site of the one burned. Little more than a year after the new building was occupied, through the negligence of a tenant it was consumed by fire. On this site his present business block, a substantial aid and ornament to the village, was erected in the summer of 1878.

In 1877 he formed a partnership with A. C. Parker, who held the post-office and a large insurance business. In this firm Capt. Austin did the office work, and improved his spare time in the study of law, purchasing books as occasion offered and borrowing of prominent lawyers in the county, from whom he received kindly aid and counsel. He was admitted to the Orleans county bar at the February term, A. D. 1880. By reason of his scholarly tastes, his literary attainments, his experience as a trial justice and general business adviser, and as a practitioner in justice courts, he was the better equipped at forty years of age to change from a business to a professional life.

From the first his practice was adequate for the support of a large family. A careful and prudent counselor, his business has largely been of that practical nature, partly the outgrowth of modern times, by which rights are secured while litigation is avoided. Yet when occasion demands, he is not wanting in the elements of a good fighter. Coming to the bar late in life, he would be at great disadvantage if dependent alone on the sharp practice of legal fencing and technical subtleties, in which by long experience the mind is made alert. While not unmindful of these aids, his chief reliance is on the merits of his cause, which, before both court and jury, is perhaps the safer anchor.

As an advocate there is no display of mental pyrotechnics, no artful appeal to sentiment and passion, no fluent sophistry by which "to make the worse appear the better cause." Of this he is incapable. He wants "that glib and oily art, to speak and purpose not." His method is a calm, cogent appeal to reason and justice, with strong denunciation of hypocrisy and shams.

November 1, 1881, he was appointed judge of probate for the district of Orleans, to fill the vacancy caused by the death of Hon. I. N. Cushman. The time has passed when business talents alone are deemed sufficient for this office. It is a domain in which the maxim emphatically applies, "a question settled right is settled ever, but settled wrong is settled never." It is and must be a distinct and separate branch of the law. It is one in which, as a rule, the general practitioner is unversed. The relative importance of our courts is sometimes forgotten. In the county court close questions of law and sharp contests arise, when the real issue is a mere matter of will between the parties, or a pecuniary trifle. The probate court

is pre-eminently the people's court. To it all must come, soon or late. Through it the bulk of their property must pass, each generation. By it large estates are distributed. In it questions are tried and decisions rendered, which affect the interests of parties practically unrepresented and perchance unborn. The peace of families is involved, the rights of the widow and orphan, generations to come, influences far reaching in their results.

Judge Austin has thoroughly mastered the principles of probate law, and keeps abreast of current decisions, in which new and intricate questions are constantly arising, while his army experience and knowledge of general business have prepared him for its practical administration. It is safe to assert that he is well fitted for this position. Devoid of policy, amply furnished with backbone, he meets little temptation where men prone to yield to the pressure of influence might lead a devious course. In him the poor and afflicted find friendly sympathy and counsel, with righteous indignation at oppression and wrong. In the five years that he has held the office, many close and bitter contests have come before him. Yet from a fairness in hearing all sides and parties, a cool and sound judgment, a firm adherence to justice and law, there have been few appeals from his decisions, and none have been reversed.

For some years he was superintendent of schools for the town of Barton. Connected with the old Congregational church at Brownington, he was active in forming a branch in his own village, and in the completion of their fine church building. From its organization ten years since, he has been the superintendent of a live and vigorous Sunday-school.

In the fall of 1869 he was married to Sophia M., daughter of Capt. Timothy Joslyn of Brownington, in whom he found a fitting helpmeet. Six children have resulted from this union, richly endowed with the graces which give joy to the present and promise to the future. The tragic death of the eldest, a boy of some ten years, by drowning in Lake Memphremagog, brought crushing sorrow to a happy home.

As a citizen Judge Austin is eminently public spirited, ever ready to do his part and more, social and genial, with a lively interest in education, temperance and religion, in whatever tends to elevate and ennoble human life and character.

Claiming no ideal perfection, admitting faults and foibles common to humanity, considering the breadth of character and attainment, in no fulsome sense may the words of the immortal bard be applied to the subject of this sketch :

“ His life was earnest, and the elements
So mixed in him that nature might stand up
And say to all the world, ‘ This was a man.’ ”

AMOS HERBERT CARPENTER.

By HON. JONATHAN ROSS.

AMOS HERBERT CARPENTER, the son of Amos B. and Cosbi (Parker) Carpenter, was born at West Waterford, Vt., January 1, 1855. He fitted for college at the St. Johnsbury Academy, graduating in June, 1874. He entered Dartmouth College that fall, and graduated in the class of 1878. As a student he was characterized, rather by persistency and thoroughness, than by rapidity in acquiring and brilliancy. Immediately upon graduating he entered upon the study of the law, first with Belden & Ide of St. Johnsbury, then at Bath, N. H., with his uncle, now Judge A. P. Carpenter, and finally with John Young, Esq., of Derby Line, Vt. He was admitted to the bar at the September term of Orleans county court for 1880. While pursuing his classical and legal studies, he taught several terms of school successfully. In the fall of 1880 he opened an office at Middlebury, Vt., and practiced until the following summer, when he was laid aside for awhile by an attack of fever and ague, contracted two or three years before while on a visit in the West. In the fall of 1882 he formed a partnership with C. B. Leslie, Esq., of Wells River, for a year. At the close of his year he went to Minnesota and formed a partnership with Martin V. B. Drew, Esq., a son of the late Theophilus Drew of Danville, Vt. He showed himself so faithful and competent in the practice of his profession while with Mr. Drew, that on January 1, 1884, he was offered the position of attorney and collector for the house of Osborne & Co. of Minneapolis, who were doing an extensive business throughout the West in the manufacture and sale of farming implements. He accepted the position, and worked for the firm a year on salary. At the close of the year he was

employed by some Eastern parties to go to Stockton, Cal., to contest the will of a person recently deceased, who formerly went from the East. He is reported to have been successful in preventing the probate of the pretended will, and is at present at Stockton looking after the interests of the heirs to the estate. In the practice of his profession, as in his academic and college life, he has shown himself faithful, thorough, persistent and competent.

EDSON N. CONNAL.

THE subject of this sketch was born at Newport, Vt., February 25, 1853. He is the son of Peter Connal, a native of Sterling, Scotland, who emigrated to this county in 1850, and settled at Newport. Mr. Connal served ten years in the British army as sergeant-major. After coming to this country he soon took out his naturalization papers, and at once took a great interest in the prosperity and growth of the republic. The people of Newport have shown their appreciation of his efforts by electing him to positions of public trust and responsibility, such as selectman and justice of the peace.

Edson N. worked on his father's farm summers, and attended the school of his native district what time he could obtain until he was eighteen years of age. He then entered the State Normal School at Johnson, where he graduated in 1874. He then continued his studies at St. Johnsbury Academy, where he remained two years, paying his way during all this time by his own labor in various ways. After leaving the academy he taught school for awhile, then entered the office of Grout & Prouty at Newport. In the spring of 1878 he continued his law studies with Judge L. H. Thompson of Irasburgh, and in 1879 was appointed register of probate, thereby becoming self-sustaining. He completed his preparation, and was admitted to the bar of Orleans county court at the February term, A. D. 1880. In the spring of 1881 he went to Burlington, Kan., where he has since resided, practicing his profession with excellent success. He was married September, 1881, to Julia A. Thompson, sister of Hon. L. H. Thompson of Irasburgh, and has one child.

WILLIS E. DODGE.

THE subject of this biography was born in Lowell, Vt., May 11, 1857. His father, William B. Dodge, was a farmer of limited means, the son of Andrew J. Dodge, formerly from Montpelier. His mother was Harriet N. Baldwin, the only daughter of Asa Baldwin, late of Lowell. The circumstances of the parents of our subject prevented the gratification of the disposition manifested in the son during his earlier youth, to acquire an education. However, he attended the district and select school of his native town, and being an apt scholar and disposed to make the most of the advantages at his command he had, at the age of thirteen years, acquired quite a thorough knowledge of the elementary branches usually taught in district schools. In the fall of 1870 and 1871 he attended the Westfield Grammar School, then under the charge of Mahlon C. Dix, a superior teacher. In the fall of 1873 young Dodge went to Barton, and entered the store of O. D. Owen as clerk. Here and in the store of James W. Hall he remained until the spring of 1877. His experience as a dry goods clerk was very satisfactory, both to his employers and himself, and the spring of 1877 found him making active preparations to establish himself in the mercantile business at Barton, a friend having expressed a willingness to furnish him a stock of goods, when a slight circumstance turned the whole current of his life.

The facts are given as related to the writer by himself as follows : "One night after closing the store and starting for home, some one engaged in spirited debate in the office of Hon. W. W. Grout across the way attracted my attention, and upon entering found the General and my uncle, F. W. Baldwin, earnestly engaged in trying before a justice court jury a trespass case about some hay, both of these able expounders of the law being in their best style on such occasions, and both apparently wrought up to the highest pitch of endeavor for his client. This was my first experience in the courtroom, and no Roman youth ever watched the combat of two gladiators in the arena with keener interest or more awe-struck countenance than I, the judicial disposition of that load of hay. To me it was the most wonderful revelation, and aroused within me feelings and aspirations dormant until then. I became as much interested and excited as the contestants, and much more so than their



W. E. Dodge.

clients appeared to be. The jury disagreed and I went home late, but not to sleep. Interest in the case, disgust for the jury, mingled with natural solicitude for the safety of both lawyers when they should again meet, (for I entertained the highest regard for both), kept sleep from my eye-lids, and caused me to think seriously about myself and my life work. Before another week had passed I had fully decided to fit myself for the profession of the law." Young Dodge at once entered St. Johnsbury Academy, and graduated in the scientific and classical course in the class of 1879. During this time and while pursuing his law studies, he taught with excellent success schools at West Glover, Albany, Barton and Barton Landing. In 1879 he entered the office of F. W. Baldwin at Barton, where he had previously spent all of his spare time, for the study of the law, and was admitted to the bar of Orleans county court at the September term, A. D. 1880, and believing that the great West with her enterprise and broader field of action offered greater inducements to a young and ambitious man than he could hope to find at home, he started out, and arrived at Fargo, Dak., October 6, 1880. He immediately entered the office of Roberts & Spaulding, the latter being from Orleans county, where he remained until January 22, 1881, familiarizing himself with the code practice of Dakota. He was admitted to the bar of Dakota in November, 1880, and in January, 1881, entered into copartnership with Albert A. Allen at Jamestown, the pioneer lawyer of that place, and soon assumed a prominent position at the bar of his county; and so well has he maintained the reputation universally achieved by "Green Mountain" boys, that he is today recognized as one of the leading lawyers of North Dakota, and commands a fine practice. In April, 1883, he was elected city attorney for the city of Jamestown, which position he has ever since acceptably held. He is also attorney for the Dakota division of the Northern Pacific Railroad Company, the offices of which are at Jamestown, also secretary and attorney for the Northern Dakota Elevator Company, of which he is a stockholder and director. He is also recognized as one of the leading criminal lawyers of Dakota, and has had an extensive practice in that line, both in the Territorial and United States courts, where he has been almost universally successful. The following we take from the Jamestown Alert:

"Honor to whom honor is due. The Alert takes great pleasure in noting the prosperity of W. E. Dodge, who from well earned laurels is now recognized as the leading attorney of Jamestown, and who has attained that distinction, and we may say eminence, for it is an eminence to occupy that position among such legal talent as Jamestown affords. It is well earned by Mr. Dodge, for he has given close application to his profession, and is known as an indefatigable worker for his clients, and rarely fails to win his case. He has a fine library, a commodious office, and a practice that already extends beyond the limits of the territory. Though comparatively young in years he is old in his profession, and in numerous cases has already grappled with the ablest and most noted attorneys of the territory, and won in cases involving the most intricate and abstruse questions of law. He came to this country from the far distant state of Vermont a few years ago, and by dint of hard work and indomitable perseverance has already accumulated a competence, and an honorable record in his profession that is above price."

On March 27, 1882, Mr. Dodge was married to Hattie M. Crist of Vinton, Iowa, and they have one child, a daughter. At the present time he has for a partner E. W. Camp, the firm name being Dodge & Camp.

HENRY HARRISON MARTIN.

THE subject of this sketch was born in Enosburgh, Vt., June 22, 1855. He was the son of William H. and Fanny (Libby) Martin. Henry attended the common schools and Enosburgh Academy until his father removed to Barton, on to the Baxter homestead near Barton village, in February, 1868. Subsequently he worked on the farm summers, taught winters, and attended the Barton Academy and Graded School and St. Johnsbury Academy until 1878; when he entered the office of Frederick W. Baldwin, Esq., at Barton for the study of the law. During this time he had taught successfully schools at St. Johnsbury Center, Enosburgh Falls, North Troy and Coventry Falls. He had during the time he was teaching at Troy and afterward studied law to some extent in the office of Col. William R. Rowell of that place.

He was admitted to the bar at the September term, 1880, and in December of that year went to Canon City, Col., and opened an

office for the practice of his profession. On his way West he caught a severe cold, and hardly reached there before he was prostrated with lung fever. He rallied somewhat after the fever had its run, but it was soon evident he had consumption. He returned at once to Vermont, but only to die, his death taking place May 1, 1881.

FRANCIS SUMNER ROGERS.

FRANCIS SUMNER ROGERS was born at Troy, Vt., on the 3d day of December, 1854. His father, C. S. Rogers, M. D., practiced medicine in Troy for more than twenty years, and his mother was the daughter of Samuel Sumner, Esq., of that place.

After pursuing preparatory studies at Derby and St. Johnsbury Academies, he entered Dartmouth College, and graduated in 1878. He studied law with H. E. Powell, Esq., of Troy, and with P. K. Gleed, Esq., of Morrisville, and was admitted to the Orleans county bar at the February term of 1880. Since then he has practiced his profession at Troy with good success. He married Alice A. Aiken, daughter of Leander Aiken of Sutton, P. Q., April 11, 1882, and they have two children.

JOHN G. FOSTER.

JOHN G. FOSTER, the son of Austin T. and Sarah Gilman Foster, was born in Derby, Vt., March 9, 1859. Stephen Foster, his grandfather, the fifth descendant of Thomas Foster who came to Massachusetts in 1635, was born in Rochester, Mass., July 30, 1772. January 3, 1802, he married Mary King, daughter of Jonathan King, and shortly afterward moved to what is now known as East Montpelier, in the then almost unbroken wilderness and settled, rearing a family of ten children. He died April 3, 1850. Austin T., the youngest son, when in his fifteenth year left Montpelier, and entered his brother Stephen's store at Rock Island, P. Q., as a clerk. When he was nineteen years of age he was admitted a member of the firm of Spalding & Foster of Derby Line, since which time he has been one of the most prominent business men of the place, and has occupied many places of public trust and responsibility. He has been president of the National Bank of

Derby Line since 1872, has represented Derby in the legislature, and has recently been nominated to the state senate.

John G., his oldest son, industriously attended the school of his native village until he went to Goddard Seminary, Barre, Vt., where he fitted for college, and in 1872 entered Tuft's College, graduating in 1880. He immediately commenced the study of the law with Edwards, Dickerman & Young at Newport, and was admitted to the bar at the September term, A. D. 1881. Wishing to be fitted in the most thorough manner for the profession of his choice, he went to Boston and took a full course of law lectures at the Boston University. Upon his return he opened an office at Derby Line for the practice of his profession. Mr. Foster is a young man of good native ability, and has been favored with most excellent preparation for his life work. Now with close application, and hard work, his friends may expect the realization of their highest hopes of his professional standing.

EUGENE L. EMERY.

THE subject of this biography was born at East Andover, N. H., August 12, 1855, the son of Willard A. and Sarah (Brown) Emery. His father and grandfather were farmers, the latter having cut the first tree upon the old farm where our subject and his father were both born. He attended the school of his native district and the village school at East Andover until the age of fifteen, when he entered the academy at New London, N. H. (The course of study was preparatory to entering college). He graduated in June, 1873. The same month, before completing his seventeenth year, he was examined for admission to Dartmouth College, and entered there at the fall term. His lot was similar to many farmers' sons, who have to work their own way to some extent. His father was ever willing to help him what he was able, but he was under the necessity of obtaining fully one-half of the expense for his four years' course from manual labor or school-teaching. During his senior year seventeen weeks out of the thirty-eight were spent in teaching. Graduating from Dartmouth in the class of 1877, he commenced the study of the law in September of that year in the office of Copeland & Edgerly at Great Falls, N. H. In November he left to teach a three months' village school in Hampton, and again in

the fall of 1878 was out of the office to teach a term of school at Newington. In December, 1879, he went to Sherbrooke, P. Q., and entered the office of Brooks, Comirand & Hurd, where he was able to do office work to pay expenses. Soon after this, notes which he had given during his college course becoming due, the school-room was once more resorted to. At a public examination of teachers held at Sherbrooke, May 5, 1880, he received a first class academic diploma, which entitled him to teach in any school in the Province of Quebec. In August he engaged for one year to conduct the Frelighsburch Grammar School at Frelighsburch, P. Q. In the fall of 1881 he became principal of the Barton Academy and Graded School at Barton, Vt. Here he diligently pursued the study of the law during his spare time in the office of Frederick W. Baldwin, Esq., and at the February term of the Orleans county court, after a very thorough examination, was admitted to the bar, and soon started for the West, and was admitted March 21, 1882, at Fargo to practice in the district court of Dakota. He settled at Grand Forks and commenced practice. From the first he gave much of his attention to loaning money for Eastern parties, and this branch of his business soon grew to such an extent that the loans made by him in 1884 would aggregate fully one hundred thousand dollars. In February, 1885, the Grand Forks National Bank was established with an authorized capital of one hundred thousand dollars, and he was elected one of its directors. He was also elected one of the directors of the Grand Forks roller mills, a joint stock corporation manufacturing wheat flour, with a capital stock of the same amount as the bank. In June, 1885, Mr. Emery revisited his native state, and organized the New England Investment Company with a capital of one hundred thousand dollars, and in July it was incorporated under the laws of Dakota, and Mr. Emery made its secretary and general manager. Mr. Emery has relinquished his law practice, as these large financial interests require his whole time. His thorough education and extensive reading well fitted him for the profession of the law, but it none the less fitted him to discharge the arduous and responsible duties now devolving upon him. For the short time that Mr. Emery has been in the Northwest he has been highly successful, and bids fair to be one of the leading men of Dakota. He was married October 30, 1883, to Miss Isabel M.

Stevens, an estimable lady of Great Falls, N. H. June 24, 1886, the degree of Master of Arts was conferred upon him by Dartmouth College.

FRANK H. RAND.

FRANK H. RAND was born at Irasburgh, Vt., August 3, 1861, and is the son of William H. and Lucy (Forbes) Rand. His father has been a prominent man in the affairs of Orleans county for many years, having represented Irasburgh in the legislature in 1853, and was deputy collector of customs at Newport, Swanton and Troy from 1861 to 1880, and has been Deputy United States Marshal since 1867. Young Rand received his early education at the common schools and academies of his native county, and later attended the academy at St. Johnsbury. In 1879 he graduated from Eastman's Business College at Poughkeepsie, N. Y. He pursued the study of the law for a time in the office of Col. William R. Rowell at North Troy, and from there entered the law school at Albany, N. Y., where he graduated in June, 1882, and was admitted to practice in the courts of the state of New York. At the September term, A. D. 1882, he was admitted a member of the bar of Orleans county, and immediately commenced the practice of his profession at North Troy, where he remained until July, 1884, when he entered the employ of J. C. Ayer & Co., of Lowell, Mass., and is now traveling for them throughout the South.

DON ALNEY STONE.

DON ALNEY STONE, the son of Alney and Marcia (Parsons) Stone, was born in Westford, Chittenden county, Vt., December 8, 1853. His primary education was obtained at the common schools and at the New Hampton Institution, Fairfax, Vt. He graduated from the University of Vermont in the class of 1878, and studied law with Hon. L. H. Thompson of Irasburgh, and was admitted a member of the bar of Orleans county at its February term, A. D. 1883. In June, 1884, he was appointed deputy collector and inspector of customs for the district of Vermont, and stationed at Burlington where he still resides. He was married September 24, 1884, to Bessie F. Macomber, youngest daughter of J. H. Macomber of Westford.

EDWIN A. COOK.

THE subject of this sketch, the son of Amos C. and Sarah (Norton) Cook, was born in Glover, Vt., November 19, 1857. His grandfather, Amos Cook, was among the early settlers of that town. Nathan Norton, the grandfather of his mother, came in 1803 from Strafford, Vt., to Glover, and built the second frame house in the town, and kept a hotel for a number of years. Nathan, Jr., the third of his nine children, was a prominent man in the town, holding most of the town trusts. He died in 1865, aged seventy years. He reared seven children. Edwin H. received his education at the common schools of his native town, Johnson Normal School, and St. Johnsbury Academy. In 1876 he commenced the study of the law with F. W. Baldwin at Barton, and later pursued its study with Hon. L. H. Thompson at Irasburgh, and from his office was admitted to practice in the county and supreme courts of the state of Vermont, October 31, 1884, being the first person to be examined and admitted under the new rules adopted by the supreme court, requiring all examinations to be made by the committee appointed by the judges of the supreme court, at its general term each year. Immediately upon his admission to the bar he commenced the practice of his profession at Glover. He was married February 11, 1885, to Carrie A. Morse, and they have one child.

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